

EXTENSIONS OF REMARKS

A TRIBUTE TO SERGEANT JOHN
"MAC" SMITH

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. MCINTYRE. Mr. Speaker, I rise today to pay tribute to Sgt. John "Mac" Smith of Wilmington, North Carolina, for serving his country valiantly with the 11th Armored Cavalry Regiment in Operation Iraqi Freedom. On May 11, 2005, Sgt. Smith lost his life when a roadside bomb hit his convoy. He was courageously serving his second tour of duty in Iraq, and our heartfelt thanks and prayers go out to his family and friends in this time of grief.

At an early age, John's family knew that he was destined for the U.S. Army. As a toddler, he wore camouflage clothing and once spent a summer at Ft. Bragg. As a student at New Hanover High School in Wilmington, John was in the Army JROTC program, and during his senior year he served as drill team commander. John enlisted in the Army in 2000.

As a member of the Army, he dedicated his career to defending the values this nation holds dear. By risking his life to ensure the safety of others, John made the ultimate sacrifice. His valiant actions and steadfast service remind us of the gratitude we feel toward him and all the other servicemen and women who have lost their lives serving as guardians of this great country. John was indeed a man of courage and integrity.

Mr. Speaker, may the memory of Sgt. John "Mac" Campbell live on in our hearts, and may God's strength and peace be with his family.

ARTICLE BY RABBI ISRAEL
ZOBERMAN

HON. THELMA D. DRAKE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mrs. DRAKE. Mr. Speaker, I am pleased to share the following article written by a constituent, Rabbi Israel Zoberman.

I vividly recall my pride back in 1980 at the Rockefeller Chapel of the University of Chicago as I received the first doctoral degree awarded to a Rabbi by McCormick Theological Seminary which is affiliated with the Presbyterian Church, USA. The dean whispered in my ear, "You are the first," without public fanfare. A disconcerting reminder of that ambiguous attitude is the recent controversial vote by the 216th General Assembly of the PC (USA) meeting in Richmond, Virginia for studying "selective divestment" from companies doing business in Israel with at least one million dollars in revenue, and deemed to hurt the Palestinians.

It is quite astonishing that there was a rather limited sense of the adverse impact of the anti-Israel move on the American Jewish

community. Did not the Presbyterian leadership know that the best way to unite the Jews is to challenge the Jewish state in a serious way? Organized American Jewry is surely committed to safeguarding Israel's well-being at the critical front here at home. For a mainline Protestant denomination, though with dwindling members but with yet considerable influence, to go beyond past critical resolutions and risk alienating its Jewish partners in common quests of interfaith dialogue for a better America and humanity, is a cause for an evaluative pause.

What has gone so wrong? How can we set the record straight and rejoin in essential and increased cooperation, establishing better lines of communication? In a climate of rising world anti-Semitism, won't divestment worsen matters, threatening to place Israel in the pariah state category as was the case with South Africa which the Presbyterians rightly pursued? Would other religious bodies and secular institutions be tempted to follow suit? Wouldn't added economic pressure and isolation damage Israel's ongoing courageous peace work, hurting a close ally of the U.S.?

To attack Israel following four bloody years of unrelenting and victimizing terrorist suicide bombings that no other nation would have tolerated without a major response that surely Israel could deliver, is a sad commentary on the exhibited callousness of mostly friends tuning out a certain reality. A reality including the plight of the Christian minority in the Arab Muslim world in general and particularly now among the Palestinians where ironically the Presbyterians have long roots of involvement, it, obviously affecting their stance on Middle East issues. It is also the outcome of too many Presbyterians lacking pertinent information.

The cited Israeli security barrier as problematic ignores the dramatic reduction in terrorist infiltrations as well as Israel's Supreme Court intervention in correcting the barrier's path to alleviate hardships, with its final destiny dependent upon future developments. It was after all the late Chairman Arafat who responded in 2000 at Camp David to the offered vision of peace with improved upon past violence, reverting to his old terrorist persona with which he chose to die. It is Prime Minister Sharon who succeeded in radically transforming himself to the point of supporting a Palestinian state, presently risking his life with his disengagement plan from Gaza and parts of the West Bank.

How can an enduring and inspiring Israel, a beleaguered outpost of Western values, be compared to a corrupt and terrorism-friendly Palestinian Authority yet to prove with its newly elected president Mahamud Abbas, through Israeli cooperation, that our trust in its democratic and peaceful potential is not dangerously misplaced? How tragic indeed that Palestinian suffering is largely due to its leaders' ineptitude and the duplicity of the Arab nations through the years, abusing their brethren's plight for their own regressive agenda, while refusing to grant them their own state prior to 1967 when Israel was saddled with the territories following an attack on Jewish sovereignty.

Lastly but not least, the continued Presbyterian misguided goal to missionize among Jews remains a blight on a denomination that deserves better. Commemorating the

60th anniversary of the liberation of the Holocaust's death camps with a first, special session of the United Nations General Assembly on January 24th, 2005, we recall that modern Israel arose from the martyrs' ashes. History has taught us that when we deny a people's spiritual authenticity we ultimately invite its physical annihilation.

**SALUTING ANTHONY DEION
BRANCH**

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. PICKERING. Mr. Speaker, Mississippi's community and junior college system produces some of the top football players in the Nation. They are always targets of recruitment from universities around the country seeking to bolster their football programs. From time to time, we produce a truly great player who can compete at the highest level with the leadership and poise necessary to be the top player in the top game. Anthony Deion Branch from Jones County Junior College—in my home county—was named Super Bowl XXXIX Most Valuable Player. Today I'd like to salute that achievement and speak a little about his road to that success.

Deion's career began in Albany, Georgia where he excelled in track, football and enjoyed soccer in high school. After graduating he made the long drive to Ellisville, Mississippi where he competed and earned a spot on the Jones County Junior College football team. There he grabbed 37 passes for 639 yards and five touchdowns as a freshman on the Bobcat squad. The following year he took 69 receptions for 1,012 yards and nine touchdowns, earning second-team All-American honors and leading JCJC to a 12-0 mark and a victory at the Golden Isles Bowl to bring home the junior college national championship.

The University of Louisville recruited Deion who hauled in 143 passes for 2,204 yards and 18 touchdowns in his two years there. He became only the second player in school history to record multiple 1,000 yard seasons and is listed fourth and sixth respectively in the school records for career touchdown catches and receptions with the Cardinals—and that in just two years.

The New England Patriots used their Number 65 pick in the 2002 Draft to bring in Deion to what many are now describing as a dynasty—three Super Bowl Victories in four years, two with Deion on the team.

Deion's first Super Bowl ring came without the MVP award; his colleague and football legend Tom Brady won it that year. But while many of us fans thought he should be considered, we didn't have to wait long to be satisfied. The following year, despite an injury in his second game which kept him on the sidelines for the next seven matches, Deion finished the season with 35 receptions for 454 yards and four touchdowns.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Deion had trained and focused and coming into the end of the season from an injury, he was still ready for the premier football event in the world. Finishing the night with an NFL record-tying 11 receptions for 133 yards in the Super Bowl, he became just the fourth receiver in NFL history to receive the MVP award and is already being listed with greats like Jerry Rice and Dan Ross.

Mr. Speaker, Deion's team-first attitude and strong work ethic has paid off and we in Mississippi are proud of him and salute his continuing achievements. I know we will continue to see him excel in the future and all of us from Jones County, Mississippi will remember him for his years with us and salute his determination, skill and triumphs.

IN CELEBRATION OF THE 80TH
BIRTHDAY OF MALCOLM X

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. RANGEL. Mr. Speaker, I rise today to commemorate what would have been the 80th birthday of Malcolm X, formally El Hajj Malik El-Shabazz. This is an opportune moment for this country and the world to reflect on the life and times of this extraordinary individual. In his short life, Malcolm X overcame many difficulties and challenges to become a leading figure in the movement for black liberation.

Malcolm X was born Malcolm Little on May 19, 1925 in Omaha, Nebraska. He was one of eight children born to Earl and Louise Little. Earl Little was an outspoken Baptist minister and supporter of Marcus Garvey's Universal Negro Improvement Association. He taught his family of the importance of working together for their collective advancement and of the need to restore pride and commitment in their community and race. His fierce advocacy for racial justice prompted a number of death threats against him, required his family to relocate twice before Malcolm's fourth birthday, and eventually to lose their home to arson.

In 1931, the body of Earl Little was found lying across the town's train tracks. The police ruled the death an accident, but Malcolm learned the true cost of passionate activism. His mother suffered an emotional breakdown and was institutionalized, following the death. His siblings were split up amongst various foster homes and orphanages. Malcolm was separated from the family he had known and loved.

Malcolm nonetheless was an outstanding student. He was at the top of his class in junior high school and had aspirations of becoming a lawyer. With the early lessons of his father about the importance of education and self-pride, Malcolm was prepared to shine in the academic and legal worlds. However, he lost interest in these aspirations when a favorite teacher crushed his dreams and told him that law was not a realistic goal for a Black man in the 1940s.

Disillusioned, Malcolm dropped out of school after the 8th grade and moved to Harlem, where he unfortunately turned to a life of crime. By 1942, Malcolm was coordinating various crime rings in New York City. In 1946, he was arrested, convicted on burglary charges, and sentenced to 10 years in prison. Finding himself headed in the wrong direction and exposed for the first time to the teachings of the Nation of Islam, Malcolm re-dedicated

himself to academic pursuits and understanding economic and social disempowerment.

Undoubtedly guided by his father's activism, his own life experiences, and his time in NYC, Malcolm X became a loyal adherent and follower of Minister Elijah Muhammad and the Nation of Islam. He argued that the discrimination and racism present in American society kept African-Americans from achieving true political, economic, and social power and that the system would continue to perpetuate discrimination and racism unless African-Americans stood up for themselves and against the system.

In keeping with the teachings of the Nation of Islam, Malcolm adopted the "X" as a surname to demonstrate that his African identity and cultural roots had been unknown to him. Following his parole in 1952, he became an outspoken defender and spokesman for the Nation of Islam. He was placed in charged of new mosques in Harlem, Detroit, and Michigan. He became an effective voice of Nation of Islam through newspaper, radio and television communications and was credited with helping to increase membership from 500 in 1952 to 30,000 in 1963.

While he spoke in bitterness and hatred towards whites, he spoke about his experiences and interactions with people. From the death of his father to his favorite teacher to numerous others he had encountered, Malcolm talked about what he knew and that, like for many African-Americans at the time, was not a beloved experience. He spoke for those whose dreams were crushed by the educational system, whose families suffered at the hands of economic injustice, whose leaders fought for social equality, and whose futures did not look bright.

Malcolm however would become disheartened by the Nation of Islam, after learning of indiscretions committed by Minister Muhammad and attempts by the organization to conceal them. Unwilling to participate in what he believed was deception, he was marginalized within the organization. In 1964, he separated from the Nation of Islam and formed his own organizations, the Organization of Afro-American Unity and the Muslim Mosque, Inc.

In 1964, Malcolm X traveled outside the United States to Africa, Mecca, and Saudi Arabia. The trip would become a transcendent period in his life. For the first time in his life, he came in contact with different cultures and races that treated him with respect for who he was. He broke bread with Muslims of various races and saw that brotherhood was not limited by race. He saw humanity and compassion in its true form and was moved by the recognition that it really was universal.

When he returned, Malcolm adopted the name El-Hajj Malik El Shabazz. He returned to the United States with a new sense of purpose and a different set of experiences. He spoke about how he had met "blonde-haired, blue-eyed men I could call my brothers." He was prepared to work with men of all races to achieve true racial justice. He was prepared to lead a movement for the liberation of the disadvantaged in America.

Unfortunately, Malcolm X was assassinated at the Audubon Ballroom in Harlem on February 14, 1965—more than 40 years ago this year. At Malcolm's funeral, the actor Ossie Davis eulogized him and asked the crowd of onlookers, "Did you ever talk to Brother Malcolm? Did you ever really listen to him? For if you did you would know him. And if you knew

him you would know why we must honor him." Unfortunately, we will never know what Malcolm X could have done with another 40 years.

Mr. Speaker, I submit into the RECORD a statement by Trans-Africa Forum President Bill Fletcher, Jr. demonstrating how Malcolm was an inspiration in the global struggle for freedom and human rights, with many world leaders embracing him and his philosophy.

MALCOLM X: REMEMBERING HIM AS MORE
THAN A POSTAGE STAMP

A STATEMENT BY TRANS-AFRICA FORUM PRESIDENT BILL FLETCHER, JR. ON THE OCCASION OF THE 40TH ANNIVERSARY OF THE ASSASSINATION OF MALCOLM X

February 21, 2005—February 21, 2005 marks the 40th anniversary of the assassination of African American freedom fighter Malcolm X, aka El Hajj Malik El-Shabazz. Realizing that had he lived, Malcolm would have been turning 80 this year stands in contrast to the memories many of us have—or have gained since his death through photos, recordings of speeches and documentaries—of an audacious young Black man who unquestionably spoke truth to power. Malcolm, gunned down at the age of 39, represented a defiance and commitment that most of us can only aspire to achieve. He spoke our anger against oppression, and our pain suffered from this same oppression, while constantly demonstrating a love and respect for us as a people.

Similar to the experience in the years that have passed since the death of Martin Luther King, there have been constant attempts to rewrite the life and thought of Malcolm X. Despite all of this, generation after generation have rediscovered the real Malcolm, even if only in pieces that have to be assembled in the giant game of history.

In an era where much confusion reigns within Black America due to the emergence of figures such as General Colin Powell and Dr. Condoleezza Rice, it is useful to reflect upon two central themes in the life and work of Malcolm X: one, that our struggle in the United States as African Americans was and is fundamentally a struggle for human rights rather than civil rights. Two, that our struggle is bound up with struggles taking place around the world against imperialism and other forms of injustice.

The issue of civil rights vs. human rights is critically important and for more than semantic reasons. Malcolm was challenging much of the leadership of the then Civil Rights Movement to understand that the issue before Black America was not simply or only one of constitutional rights within the U.S. framework. Malcolm suggested, following upon leaders such as Du Bois, Robeson and Patterson, that the issues at stake for African Americans were more than discrimination, as important as that was and is. Instead, Malcolm observed that the oppression faced by Black America has been central to the reality of the USA since before it was the USA, i.e., since the beginning of colonial North America. Our situation, in other words, was not an aberration from an otherwise humane record. Rather, the oppression that we have faced has shaped the basic existence and substance of the United States, and, along with the genocide faced by Native Americans, helps one to understand the inability of this country to establish a truly democratic republic.

For Malcolm, then, Black America was demanding not only an end to discrimination, but recognition of our human rights as a people, up to and including the right to national self-determination. Malcolm concluded that as a people who had been subjected to hundreds of years of naked and vicious oppression, only an international body,

such as the United Nations, had the location and moral authority to address the true resolution of our condition.

For this, Malcolm became one of the most dangerous people in the USA, at least for those who oppress us.

Malcolm did not stop there. Linked to his understanding of human rights, Malcolm also situated our struggle for human rights alongside the struggles that were underway in Asia, Africa, the Caribbean and Latin America for national independence and liberation. Again, following in the footsteps of freedom fighters going back to the early 19th century, Malcolm insisted that to only view our struggle through the prism of North American eyes would be to condemn our struggle to failure. As such, Malcolm paid attention to educating Black America to the relevance of struggles underway overseas, such as the movement in the Democratic Republic of the Congo for complete freedom from both the Belgians and the USA. He was also an early and incisive critic of the expanding U.S. aggression in Indochina.

To build ties, Malcolm spent time developing bonds of friendship and comradeship with some of the most important international leaders of the struggles for national liberation of the 1960s. These were not symbolic, but represented an attempt to build allies who could be called upon to support our struggle for freedom.

For this, Malcolm became one of the most dangerous people in the USA . . . at least for those who oppress us. For us, the oppressed, he was our champion. Far from being a savior, Malcolm saw himself as a spokesperson for a movement; yet never more important than the movement. He understood that it is people in motion rather than individual leaders who shift the tracks of history.

And so, it is time to again remember Malcolm and to cherish him through continuing in his footsteps, footsteps that were molded by an insistence on struggle, audacity, and, yes, love for his people.

CONGRATULATIONS AND BEST WISHES TO COLONEL ALAN R. LYNN

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. EDWARDS. Mr. Speaker, I rise to recognize a great Army officer and soldier, Colonel Alan R. Lynn, and to thank him for his contributions to the Army and the country. On Thursday, June 2, 2005 Colonel Lynn will relinquish command of the Army's 3rd Signal Brigade which is stationed at Fort Hood, Texas for reassignment to the Army Staff in Washington, DC.

Colonel Lynn began his military career in 1979 following his graduation from the University of Pennsylvania at California, Pennsylvania. Commissioned as an Air Defense Artillery officer from ROTC he completed several successful assignments in the Air Defense Artillery before he transferred to the U.S. Army Signal Corps. During Operations Desert Shield and Desert Storm he served as the 1st Brigade Signal Officer with the fabled 101st Airborne Division. In 1997, he commanded the 13th Signal Battalion, 1st Cavalry Division both at Fort Hood, Texas and in Bosnia with Task Force Eagle. Colonel Lynn took command of the 3rd Signal Brigade, Fort Hood, Texas on June 13, 2002. He deployed the Bri-

gade to 66 separate locations throughout Iraq in January, 2004 in support of Operation Iraqi Freedom creating the largest tactical communications network in Army history. For over a decade Alan has been tested in conflict and hardened in battle to become one of the Army's finest and most experienced Signal Corps commanders.

Alan is a consummate professional whose performance personifies those traits of courage, competency and commitment that our nation has come to expect from its Army officers. It is with sadness that we will wish him Godspeed and good luck as he leaves Fort Hood for his new assignment.

Alan's career has reflected his deep commitment to our nation, and has been characterized by dedicated, selfless service, love for soldiers and their families and a commitment to excellence. I ask Members to join me in offering our heartfelt appreciation for a job well done and best wishes for continued success to a great soldier and friend—Colonel Alan R. Lynn.

H.R. 1268, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mrs. MALONEY. Mr. Speaker, because of this administration's lack of accountability for the money sent for the war in Iraq, I could not support this, the third emergency spending bill for Iraq, when the House first voted on it in March. It now comes back to us from the conference in worse shape than it was before, and I again cannot support it.

The administration sold this war to the American people and Members of Congress under false pretenses, and the American people cannot continue to indefinitely fund this administration's gross incompetence, particularly without any real oversight tied to it. Meanwhile, important priorities here at home like homeland security and education go wanting for money. We have a new record level of debt, a record budget deficit and a record trade deficit.

Mr. Speaker, my father and brother have both fought in wars for our country, and I support and honor our troops. I want nothing but the best protection and best equipment for them. Still, despite the hundreds of billions in taxpayer money that has been spent on Iraq, a recent New York Times report detailed how our soldiers in Iraq still are ill-equipped for the resistance they face. Why hasn't the money first and foremost gone to supply our troops with the equipment they need as quickly as possible?

There have been independent audits showing billions of dollars in Iraq that have been misspent or that have simply gone missing. And there still is little to no oversight—there still is no open and honest accounting—to keep this administration in check, as they have repeatedly missed deadlines to detail the past, current and future spending.

This bill now includes the REAL ID Act, which is an entirely separate issue from funding and should have no part of this bill. I am very concerned about the implementation of such sweeping provisions in this manner.

There is no money to implement these new laws, we've had no hearings to understand how they would work, and the states, which would have to administer these laws, haven't even been consulted. Administratively these provisions seem difficult to implement, at best. Congress should never go about loading something like this onto a bill without full debate, but that's exactly what has happened in this case.

Certainly, there are parts of this supplemental spending bill that I strongly support. The \$650 million for tsunami relief and reconstruction is very important. It is disappointing, however, that the conference report does not include the amendment I introduced that was attached to the House version, which would have devoted \$3 million for UNFPA's vital work in the tsunami region. This money would have greatly benefitted pregnant tsunami-stricken women by fostering better maternal health and reducing infant mortality.

The improvement in death benefits for the military in this bill are crucial, and they are a long time in coming. I also support the provisions to aid the peace in the Sudan, as well as development assistance the president proposed for the West Bank and Gaza.

Nevertheless, this administration must enforce a better accounting of the taxpayer money it spends. Before I can vote for another enormous expenditure of the American taxpayers' money for this war, I must be convinced that this administration will keep tabs on the money and make sure our troops get the equipment they need. Doing so will be good for the war effort, and will be good for our troops.

LANCE CORPORAL JONATHAN GRANT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. UDALL. of New Mexico. Mr. Speaker, I rise today to honor the life of Lance Corporal Jonathan Walter Grant.

Jonathan lived his life by always putting others first, and last Wednesday he made the ultimate sacrifice while serving in Iraq.

Lance Corporal Grant was among the six Marines killed during combat "Operation Matador" when their troop transporter rolled over a roadside bomb in the Al Anbar Province.

Just 23-years-old, Jonathan lived life always showing courage and maturity beyond his years. He was born in the Pojoaque Valley of New Mexico and raised by his grandmother Margie Warner, who he loved dearly. He received his general equivalency diploma in the year 2000 and joined the Marines in 2002, working the entire time to support his family and build a future.

Upon his planned return from Iraq this October, Jonathan was planning to marry his high school sweetheart and fiancée, Eva Maestas. Eva—who is now a kindergarten teacher—and Jonathan had been together for 7 years. Jonathan leaves behind Eva, their 5-year-old daughter Cynthia, and their 17-month-old son Evan.

As Cynthia and Evan get older, they can always be proud of their father, Lance Corporal Jonathan Walter Grant, a Marine—who always

rose to the challenge and served our country proud.

Our heartfelt prayers and sympathies are with Jonathan's family and friends during their time of great loss. We will always remember his bravery and the sacrifice he made while serving our nation.

CONGRATULATING THE WILKES-BARRE FINE ARTS FIESTA ON THE OCCASION OF ITS 50TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today ask you and my esteemed colleagues in the House of Representatives to pay tribute to the Fine Arts Fiesta in Wilkes-Barre, Pennsylvania, which is celebrating 50 years of artistic and cultural presentation to the citizens of northeastern Pennsylvania.

Founded in 1956 under the leadership of Annette Evans, Ruth Schooley and Alfred Groh, the Fine Arts Fiesta is the oldest full-scale arts festival in the Commonwealth of Pennsylvania.

Making the event even more special is the fact that it has never charged the public for admission, preferring to make the event open to anyone, regardless of ability to pay. Instead, the Fine Arts Fiesta, always held on Wilkes-Barre's historic Public Square, has managed to fund itself through state grants and voluntary contributions from individuals, corporations and foundations.

Throughout its history, the Fine Arts Fiesta has always highlighted children's entertainment.

At noon on May 24, 1956, then Mayor Luther M. Kniffen sounded the Old Ship Zion bell and the Fine Arts Fiesta was born. It was also a highlight of Wilkes-Barre's Sesquicentennial that was being observed in 1956.

Dr. Eugene S. Farley, then president of Wilkes College, offered remarks and stressed the interrelation between the Wyoming Valley's cultural assets and the economic and industrial well being of the community. He concluded that the Fiesta plays a significant role in the overall growth of the community.

By 1962, the Fine Arts Fiesta had grown to include 36 organizations. More than 1,000 volunteers were working to present artistic displays from virtually every art and craft.

In 1963, Mrs. C. Wells Belin, of Scranton, a leader in the local art world, delivered the Fiesta's opening address. She spoke of the "four great assets of Fiesta." She went on to describe those assets as "public relations value . . . positive example for other cities . . . importance to industries already here and those planning to come here and, finally, as a way of helping people broaden their horizons and appreciation of culture and the arts.

Also in 1963, The Fine Arts Fiesta gained national recognition after George Ralston, chairman of the Wilkes-Barre Recreation Board, nominated the Fiesta for an award from the National Recreation Committee. That award was presented to Fiesta founder Annette Evans in the presence of the late U.S. Congressman Daniel J. Flood.

Mr. Speaker, please join me in congratulating The Fine Arts Fiesta on a half century

of cultural service to the citizens of northeastern Pennsylvania and beyond, some of whom travel great distances to attend and enjoy the Fiesta. Clearly, the Fiesta has enriched the lives of hundreds of thousands of people and our community is a far better place because of it.

DEDICATION OF THE CONGRESSMAN IKE SKELTON BRIDGE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. CLEAVER. Mr. Speaker, it has come to my attention that Highway 13 Missouri River Bridge has been named for my good friend, and fellow Missourian, The Honorable Ike Skelton. The dedication ceremony took place on May 14, 2005, in Lexington, Missouri, Mr. Skelton's hometown. I know that all the Members of the House will join me in congratulating Mr. Skelton on this honor. Mr. Skelton's remarks at the event are set forth as follows:

Thank you so much, Joe Aull, for your generous introduction. Members of the Missouri General Assembly, Ray and Lafayette County neighbors, and my fellow Missourians.

Today, we dedicate an engineering feat—the magnificent new bridge across the wide Missouri. What an opportunity to kindle pride in our community and pride in our state. This is truly a moment to remember.

Anyone who lives around here or who travels along this portion of Highway 13 can testify that for years people have asked, "when are we going to get a new bridge?" More recently the question has changed to, "when is that new bridge going to open?" So believe me, I think it is impossible to exaggerate what a very happy day this is for those who have waited so long for this day to arrive.

According to the Roman orator Cicero, the greatest of all virtues is gratitude. And, I want to express my gratitude to my neighbors, the members of the Highway 13 Missouri River Bridge Dedication Steering Committee, the members of the Missouri Department of Transportation, and the members of Missouri's General Assembly for the naming of this bridge. Most of all, I am grateful to my wife, Susie, for her tireless support that allows me to carry out my public service. I must add that I am pleased that so many of my high school graduating class are with us today.

I acknowledge this honor with a deep sense of humility. Representing Missourians is such a privilege, as I have had a love affair with the State of Missouri all my life. Suffice it to say that I will endeavor, in the days and years ahead, to merit this high honor.

This day opens a notable chapter in the history of Ray and Lafayette Counties, and in the history of our State. The taxpayers generously paid for the bridge and the surrounding roads, with the politicians and government officials setting aside the money—almost \$53 million in Federal and State funds for the bridge itself. But the achievement lies in the skill of the designers, engineers, and laborers whose work translated our dream of a new bridge into reality, providing us with a safe way to travel and taking us into the future, across the wide Missouri.

But because this is such a momentous day, it is appropriate to look back and reflect on the previous chapters of our history that led

us to this place today. This is a bridge over truly historic waters—the wide Missouri.

The river is central to the history of those who have lived in this region. The Indians who lived along its banks inspired the river's name. The word "Missouri" is believed to have derived from the Indian word for "canoe", and the Missouri Tribe were known as the "people of the wooden canoe."

French trappers encountered the Missouri Indians in the late 1600s in present day Saline County. Another native group, the Little Osage, lived in this area during the 1700s. Scholars say that both tribes used the river for transportation and trade with the Europeans.

In addition to the heritage of the Indians who made their home along the river, the legacy of the French trappers endures. The names the French gave to the tributaries that flow into the Missouri River still adorn our maps: Tabeau Creek, the Lamine River, Chouteau Creek, and the Moreau River.

After the fledgling United States of America purchased the Louisiana territory, Lewis and Clark's Corps of Discovery traveled these waters, following the river across the continent. In fact, our new bridge is quite near the spot in present-day Ray County where Lewis and Clark's party of explorers made camp in June 1804.

Fifteen years later in 1819, a U.S. Army Corps of Engineers expedition to explore the Missouri River and its tributaries demonstrated the potential usefulness of the river for the movement of goods, settlers, and troops. It also led to the Corps' assignment to tame the river for navigation, removing the treacherous snags that endangered boats and steamboats.

The Missouri artist George Caleb Bingham immortalized the jolly flatboatmen who plied the waters of this river as the frontier opened in the early to mid-1800s. The flatboatmen were known for their songs, their chancies, including the beautiful and haunting American folk song, Shenandoah. The now-familiar boatmen's song, which told of a trader who loved the daughter of Indian Chief Shenandoah, made its way down the Missouri and Mississippi Rivers to the American clipper ships, and thus around the world.

In the years to come, steamboats made the river their home. From about 1819 to 1881, steamboats paddled the river, taking settlers west and carrying trade goods and merchandise. Lexington became a major steamboat port, where manufactured goods from St. Louis and other points east were unloaded, and raw materials were loaded to travel down river.

Local shores witnessed one of the darkest days of the steamboat era when the steamboat Saluda called on the Port of Lexington in 1852. Encountering problems with the river's current and heavy running ice, the Saluda's boilers exploded and more than 200 passengers and crew perished.

During the War Between the States, steamboats carried troops and acted as armed transports, patrolling the river for Confederates attempting to cross the wide Missouri.

In the days before a bridge crossed the wide Missouri here, ferries enjoyed brisk business. The first ferry was established in 1819 by Lexington's founder, Gilead Rupe. Both the steamboat and the ferry operations lost customers as railroads began to lay their tracks throughout the west, but the ferry business held on, providing river crossing services until the opening of the bridge in 1925.

Attempts to bridge the river between Lafayette and Ray Counties were made in 1889 and 1894, before what we now call the "old bridge" was built across the wide Missouri.

Construction began in 1922, and the bridge opened on November 25, 1925. Even today, we can relate to the excitement and the anticipation of those citizens who were anxious to use the bridge for the first time.

As we dedicate the new bridge, we open a new chapter of our history on the Missouri River. For almost 80 years, the old bridge has served us faithfully. But after decades of service, it didn't take an engineer to spot serious problems. With portions of the old bridge floor falling through, and the crumbling of the sides, and the rusting of the superstructure, many have feared that our continued use of the old bridge was an invitation to tragedy. The new bridge comes none too soon.

The safety factor is the most immediate benefit of the new bridge for those who cross the wide Missouri at this point. Countless drivers have suffered from white knuckles on the steering wheel every time they crossed the old span.

Safety comes first, but we cannot underestimate how important modern and well-maintained roadways are for local economic development. A bridge that meets modern standards will enable companies and manufacturers to deliver and receive the goods they need to conduct business. It will allow farmers to safely transport agricultural goods. It will allow residents and visitors alike to travel freely and frequently.

This bridge symbolizes progress and that essential quality of American optimism: faith in the future; belief in ongoing prosperity; and our continuing effort to improve our country that has allowed America to prosper.

For thousands of years, the river has been witness to history. The new bridge will bear witness as those who cross the wide Missouri follow this road and add new chapters to the history of America.

Today, we celebrate. This achievement is a milestone for our state of Missouri. When you cross the bridge over the Missouri River, look down, and in your mind's eye, imagine the boatmen of the early 1800s as they pole their flatboats down the river toward the Port of St. Louis. And, if you listen intently, you will hear them singing that chanty of the day—

Shenandoah, I long to hear you,
Away, you rolling river,
Oh, Shenandoah, I long to hear you,
Away, I'm bound away,
'Cross the wide Missouri.

RECOGNITION OF 25TH ANNIVERSARY OF MT. ST. HELEN'S ERUPTION

HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. BAIRD. Mr. Speaker, I rise today in recognition of the 25th anniversary of the eruption of Mt. St. Helens.

At 8:32 a.m. on May 18, 1980, Mount St. Helens erupted. The eruption lasted 9 hours, killed 57 people, and devastated 234 square miles of land. The landscape and community of southeast Washington were forever altered.

The eruption was triggered by an earthquake measuring 5.1 on the Richter scale that shook the northern face of the mountain, causing a massive avalanche of rock debris. This landslide opened a crater that engulfed the mountain's summit and produced a massive lateral blast eruption. Mudflows carrying

millions of cubic yards of debris washed down the river valleys and into the Columbia River. Tons of ash were strewn across eastern Washington and into the Earth's stratosphere.

After 18 years of relative quiescence, Mount St. Helens' volcano recaptured the world's attention in September of 2004 when it showed signs of reawakening. On September 23 a swarm of small, shallow earthquakes began in and beneath the 1980–1986 lava dome. Activity has continued on and off since then, with the lava dome growing and letting off periodic steam eruptions.

To protect the safety of communities located near Mount Saint Helens, I worked with Congressman NORM DICKS and Senator PATTY MURRAY to secure an additional \$1.5 million for the United States Geological Survey in the Emergency Supplemental to conduct the necessary monitoring of Mt. St. Helens. This funding will increase the safety of citizens living near the area and help protect commercial aircraft.

Today, to commemorate Mt. St. Helens' 25 years of recovery and renewal, people are gathering at Weyerhaeuser's Forest Learning Center at Mount St. Helens to reflect on the 1980 devastation and celebrate 25 years of nature's recovery, including the return of forests, plants, and wildlife. Additionally, Weyerhaeuser is pledging \$1 million in wood products, funding, and volunteer labor to help build Habitat for Humanity homes at the 2005 Jimmy Carter Work Project and in other communities across the United States and Canada.

TRIBUTE TO THE LATE ALEXANDER ASHE, JR.

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. MEEK of Florida. Mr. Speaker, I want to bring to the attention of my colleagues the passing of Captain Alexander Ashe, Jr., an accomplished law enforcement professional and tireless community servant and activist, who died last Friday, May 13, 2005. Captain Ashe joined the Miami-Dade Police Department (MDPD) in December 1973. He leaves behind a legacy of achievement and inspiration, for he was an example of what genuine caring and unrelenting commitment can accomplish. His passing is a great loss for our community.

To let you know the kind of man Captain Ashe was, I want to share with my colleagues this passage from his last job evaluation, in 2002, which included the following: "He has demonstrated concern for his subordinates, making himself available for guidance and direction. He encouraged his personnel to seek personal growth through departmental training and the promotional process." MDPD Major Chester Butler described Captain Ashe as "... someone who thought along the same line as I did ... it was the best working relationships I've been fortunate to have in my career. I could always depend on him to be there for me."

As a resident of our community, he provided great wisdom and inspiration on issues affecting the Miami-Dade Police Department and was willing and ready to give of himself and put his problems on the back burner to help

others. His colleagues remember him as someone who always had the knack for providing excellent insight and courageous guidance on countless situations aimed at enhancing the professionalism of the MDPD. He was helpful to many junior officers, assisting them in their professional growth and development to help them qualify for higher rank and responsibility, and he did this without asking anything in return. A respected member of the Phi Beta Sigma Fraternity, he was a golf enthusiast who was also fascinated with computers.

Captain Alexander Ashe, Jr. is survived by his wife, MDPD Officer Patricia Ashe, son James Ashe IV; daughters MDPD Officer Deidre Ashe, Jasmine and Rene; his mother, Jefferine Richards, his extended police family and numerous other relatives and friends. As a public servant, Captain Ashe truly exemplified a unique leadership whose courageous vision and genuine caring for his fellow officers and the people whom he pledged to serve and protect evokes the character of his humanity. This is the legacy he left behind and it is how we will always remember him.

IN RECOGNITION OF THE 2005 U.S. PHYSICS OLYMPIAD TEAM

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. EHLERS. Mr. Speaker, I rise today to honor the achievements of the members of the 2005 United States Physics Olympiad Team. These 24 individuals have shown tremendous aptitude in physics and leadership amongst their peers.

It is very challenging to earn a spot on this prestigious team. After being nominated by their high school teachers and taking a preliminary exam, 200 students qualified to take the second and final screening exam for the U.S. Physics Team. The 24 survivors of that group represent the top physics students in the U.S., and they are now at a 9-day training camp of intense study, examination and problem solving. Five of these students will advance and compete for our country in July at the International Physics Olympiad in Salamanca, Spain.

Members of the 2005 team include: Thomas D. Belulovich, David Chen, Timothy F. Credo, Nickolas A. Fortino, YingYu Gao, Sherry Gong, Timothy H. Hsieh, Anthony E. Kim, John Y. Kim, Jenny L. Kwan, Chor Hang Lam, Samuel S. Lederer, Menyong Lee, David Lo, Anton S. Malyshev, Sarah E. Marzen, Eric J. Mecklenburg, Aaron H. Potechin, John D. Schulman, William T. Throwe, Madeleine R. Udell, Ameya A. Velingker, Daniel P. Whalen and Fan Zhang.

Mr. Speaker, as a nuclear physicist and formal physics professor, I have worked to promote math and science education and to emphasize the pivotal role these fields play in our nation's economic competitiveness and national security. Educating our K–12 students in math and science is very important. It is encouraging to see so many young, outstanding physics students enthusiastic about science. I hope their enthusiasm will be contagious to other students who will be drawn to challenging and rewarding careers in math and

science. I am very thankful for these future leaders and ask that you please join me in congratulating them on their wonderful achievements.

RECOGNIZING JULIUS HARPER
DAVIS

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. PICKERING. Mr. Speaker, recently, Millsaps College in Jackson, Mississippi dedicated Harper Davis Field to a man who coached there for 25 years, and who has built a lifetime legacy of service to sport and his fellow man across the state. Coach Harper Davis, affectionately called "Hippo" by friends and teammates, called the rededication of Millsaps' Alumni Field to him the "greatest honor of my life." And while leading the Millsaps Majors he built a record of 138–79–4 including an undefeated season in 1980, his life has much more to honor.

At age 17, Harper Davis left his Delta home in Clarksdale, Mississippi and enlisted in the US Marines Air Corps as a pilot to serve his Nation in World War II. After the War was over, he was met at Texas Grand Prairie Air Station by Mississippi State University assistant coach Phil Dickens who had the Bulldogs' playbook in hand. Two days later they arrived in Starkville for two practices before his first game where Davis scored two touchdowns as MSU defeated Auburn 20–0. Two days of study and two days of practice were followed by two touchdowns. In addition, during those two days, Harper Davis met Camille, his future wife. He would go on to be named to the All-SEC team while at State where he also ran on the school's track team. He was co-captain of the football team, voted Best Athlete, President of the "M" Club and named "Mr. Mississippi State University." Additionally he was a member of the Kappa Sigma Fraternity, Omicron Delta Kappa, Blue Key and the Colonels Club.

He graduated from Mississippi State with a bachelor of science degree in business finance and mathematics in 1948, in 1962 earned a master's degree in education administration.

After leaving Mississippi State University, Harper Davis was a first-round draft choice of both the Chicago Bears of the National Football League and the Los Angeles Dons of the All-American League. Harper Davis played one year with the Dons before the league folded and then went on to play with the Bears as well as the Green Bay Packers. Many considered him the fastest man in the NFL.

Over the years, Harper Davis has coached the backfield at his alma mater as well as head coach at West Point High School, and Columbus High School before arriving at Millsaps College. He has been inducted into the Mississippi State Sports Hall of Fame and the Mississippi Sports Hall of Fame and was named Mississippi Sportsman of the Year in 1976. He has been honored nationally for his contributions to the sport of football and his work with the Cystic Fibrosis Foundation.

Harper Davis is a member of Christ United Methodist Church and with his now departed wife, the former Camille Hogan of Starkville,

has three sons, Michael, Andrew and Patrick with four grandchildren, Morgan, Drew, Paul and Brad.

Mr. Speaker, Harper Davis has now been coaching football for over 50 years and he continues today at Jackson Academy, where four of my sons attend. His gentle firmness and wise lessons continue to build young men in Mississippi. I am glad to recognize him today and honor a lifetime of service.

EXCERPTS FROM CONGRESSIONAL
BRIEFING BY IRAN HUMAN
RIGHTS AND DEMOCRACY CAU-
CUS

HON. TOM G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. TANCREDO. Mr. Speaker, last month, leaders and representatives of 65 Iraqi political parties and groups unveiled a petition signed by 2.8 million Iraqis, sharply criticizing neighboring Iran's interference in Iraq and warning of the specter of "Islamic fundamentalism's stealthy domination" of their country. Iraqi signatories included ethnic Arabs, Kurds, and Turkmen, from different religious backgrounds, including Sunni Muslims, Shiite Muslims, Christians, and people of other faiths.

The petition offered strong support to the main Iranian opposition group, the People's Mojahedin Organization of Iran (PMOI). The Iraqi statement said that the PMOI was fighting a "legitimate struggle against an unjust dictatorship", adding Iran's meddling was the biggest cause of instability in present-day Iraq. They also said the PMOI should be recognized in Iraq as "a legitimate political movement" and the rights of its members, under Iraqi and international law, fully respected. A Congressional Briefing was convened by Iran Human Rights and Democracy Caucus on May 10, 2005 to discuss these developments. I ask that the following excerpts of the witnesses' speeches, as follows, be entered into the RECORD. Furthermore, I ask that it be noted that the remarks of those witnesses connected to the US military are not to be attributed to the U.S. Department of Defense, but taken as personal observations offered by each witness.

Dr. Abdullah Rasheed Al-Jabouri, Former Governor of the Iraqi Province of Diyala: "I must emphasize that among the 2.8 million Iraqis who signed the petition of support, there are many Kurds, Turkomans, Shiites and Christians. Last June, 50,000 Iraqis attended a major gathering at Ashraf, which I addressed, and in May, 500,000 Iraqis signed a petition calling for the continued presence of the group in Iraq as a legitimate political force. The fact is that by virtue of espousing an anti-fundamentalist Islam, the Mojahedin has emerged as a major bulwark against the rise of Islamic fundamentalism in Iraq, and especially the Iranian meddling. They have developed strong ties with the local people and the many tribes in the province. The sheer presence of the Mojahedin (MEK) was providing security to the region because the people in the province have complete trust in them. It is my hope that as we and the U.S. grapple with the problem of insurgency in Iraq, the United States would realize that the Mojahedin are friend of the

Iraqi people and a source stability and calm in Iraq and move to remove them from the terrorist list, which would in turn lead to the removal of the restrictions placed on them."

Lt. Colonel Thomas Cantwell: "When I moved up into northern Diyala province [in Iraq], the relationship with the Mojahedin with the local community helped me in that regard, I think because most of the local sheiks, understanding as part of the Sunni triangle, weren't exactly trusting of coalition forces but they seemed to have some level of trust with the Mojahedin, and so what I sought to get them to come in to get to speak to them and to understand what their issues were, was their security issues, their infrastructure repair issues, they lack of support issues, and to try and help them understand what our operations were doing and to ensure that they understood why we were under taking our operations. It certainly helped to have that friendly relationship that they had with the Mojahedin because it helped me to break the ice with the local sheiks which I think was important. My mission had several different aspects to it. On the one hand, we had a Geneva Convention responsibility to safeguard the Mojahedin, and this was a real possibility since there was evidence at the camp that the camp had been previously attacked by the Iranian government."

Captain Vivian Gembara: "As a soldier and a lawyer I believe it's time to change their (MEK) classification as a terrorist organization. Two years ago we could say clearly or argue that it was in all of our best interest to maintain this label, even despite Special Forces recommendations out of natural weariness. Now two years have passed and I think it's crucial that we acknowledge that the situation has changed, and we need to reassess. The potential benefits of working together definitely overshadow previous concerns or hesitations that we had. Next of course is identifying your allies, and over two years have passed now since I met with the MEK but my question is still the same and hasn't changed at all. It's basically why we can't take maximum use of the assets and potentials of this ally here?"

Dr. Kenneth Katzman: "The broader regional effects of the pro-Iranian tilt of the new Iraqi government are hard to discern. It is likely that the new Iraqi government might support Iran against international criticism of Iran's growing nuclear program. Iraq might move closer to Iranian positions on the Arab-Israeli peace process. It is also likely that the Shiite-dominated new government of Iraq will support other Shiite movements in the region, such as in Bahrain, Kuwait, and Saudi Arabia. Some commentators say Iraq's new leaders are likely to remain wary of Iran exercising substantial influence in Iraq. They note that most Iraqi Shiites generally stayed loyal to the Sunni-dominated Iraqi regime during the Iran-Iraq war. Most Iraqi Shiites appear not to want a cleric-run Islamic regime."

IN MEMORY OF MAJOR EDDIE
WHITEHEAD

HON. J. D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. HAYWORTH. Mr. Speaker, on May 27, 2005 a courageous and distinguished Marine

will be laid to rest in Arlington National Cemetery. Major Eddie Whitehead, a respected Vietnam veteran who proudly served his country in the United States Marine Corps for 28 years, will be laid to rest today among other great American heroes at Arlington National Cemetery. On February 25, 2005 Major Whitehead lost his battle with cancer, and all who knew and loved him will miss him, including his wife Bonnie, son Eddie Jr., daughters MitziLynn Keegan and Christian Thijm, sister Mitzi Dattres, and grandchildren Derek and Casey Jene. Let us pause to remember him and thank an American hero.

IN MEMORY OF OFFICER JAMES
DANIEL JONES

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. BACA. Mr. Speaker, it is with great respect that I pay tribute today to the life of James Daniel Jones. James was a man of great integrity and character, who honorably served both his country and his community.

James passed away on May 10, 2005 at the age of 75. He was born in Minden, Louisiana, but in 1957 made his home in Barstow, California, where he resided until his passing. James married Louvern Redwell in 1953, and they had seven children, including my good friend Brian Jones.

James honorably served our country throughout his life. He was drafted into the United States Army in 1951 and served for 2 years and was honorably discharged. He went on to spend 32 years as a civil employee of the U.S. Marine Corps.

In addition to serving his country, James also served the people of his community. He volunteered at the Mojave Valley Senior Citizen Center and provided transportation for the sick and the elderly. He also was active in the lives of the youth in the community, as an East Barstow Little League coach. He also had a deep relationship with Christ, and was an active member of the Union Missionary Baptist Church.

James was preceded in death by his parents, Eli and Frelove Jones; his brother, Andrew Jones; and his three sisters, Donnie Jones, Loreen Stewart and Ella Mae Andrews.

He is survived by his beloved and dear wife of 52 years, Louvern Jones; his sister, Mary Helen Smith; his brother, Eddie Jones; and his seven children, Loretta Johnson, Shirley Sherrod, Donny Jones, Donie Elliott, Jennifer Jones-Scott, Vivian Brooks and Brian Jones. He is also survived by twelve grandchildren, two great-grandchildren, and many nieces, nephews, and other relatives and friends.

Mr. Speaker, today I am proud to pay tribute to James Jones, a man who improved the lives of those he knew. James will be missed by many in his community, but he will certainly not be forgotten. He leaves behind him a legacy of caring and compassion, of unselfish dedication to his community and his country.

TRIBUTE TO JENNY PHILLIPS

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mrs. CAPITO. Mr. Speaker, I rise today to ask my colleagues to pay tribute to a woman who has made an incredible difference in the lives of my fellow West Virginians. Jenny Phillips has served honorably as the West Virginia USDA Rural Development Director, and is retiring with a record of accomplishment that deserves our thanks and praise. Our State has many assets, as well as many needs. Jenny has a unique ability to bring people together for a common cause, to bring the resources of the Federal Government to partner with communities to solve problems and build for the future. Whether it was basic necessities such as water and sewer lines and affordable housing, or visionary projects such as high-speed internet access to bring health care, education and high-tech jobs to rural areas, Jenny delivered for West Virginia. We are taught to always leave a place better than we found it. Jenny Phillips has been the embodiment of those values in her life and career. All West Virginians and Americans thank her for her exemplary service and send our sincere best wishes for her retirement.

TRIBUTE TO MIHAN LEE

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. VAN HOLLEN. Mr. Speaker, I rise today to pay tribute to Mihan Lee, an 11th-grader who lives in my Congressional district and attends Georgetown Day School. Recently, she competed against nearly 5,400 middle and high school students nationwide in an essay contest titled "Lincoln and a New Birth of Freedom." Her essay, "A New Country, a New Century, a New Freedom" earned her grand prize honors. The contest was held to commemorate the opening of the Abraham Lincoln Presidential Library and Museum in Springfield, Illinois. Mihan, a 17-year-old, second-generation Korean-American, read her award-winning prose during the dedication ceremony.

Although Mihan's essay was not specifically about President Lincoln, she captured his message of freedom and courage in a story about her great-grandfather, who lived in Korea under Japanese colonization.

Mr. Speaker, I applaud Mihan Lee and wish her continued success in the years ahead. I submit her essay for the RECORD.

A NEW COUNTRY, A NEW CENTURY, A NEW
FREEDOM

My understanding of freedom is inextricably tied up with my understanding of language. My great-grandfather, in 1940s Korea, was arrested for putting together the first Korean dictionary, when the language had been banned by the Japanese government. My great-grandfather believed that words, the medium by which we formulate and share ideas, can bind and break the very ideas they express if the language is that of an oppressor. He fought for the freedom of his people to express ideas in their own words; in so doing, he defended their very right to have ideas.

As I prepare for all the freedoms and responsibilities of adulthood, I remember these definitions of freedom I have inherited, and strive to make ones of my own—not only as the first generation of my family born in a new country, but also as an American youth at the birth of a new century. Sitting in the hall between classes, my friends and I discuss the faults of our school's administration, the right to same-sex marriage, the justification for the Iraq War. We feel it is our right to know and evaluate our surroundings, to speak and have our ideas responded to.

I believe that freedom in the 21st century means the liberty of individuals, regardless of age, race, gender, or class, to express themselves in their own words, and to use those words to shape history. We celebrate it, and yet we never stop fighting for it. I am Korean-American, I am young, and I am free. I speak—not always articulate, not often right, but always in my own words. I speak, and I listen.

LETTER TO PRESIDENT BUSH REGARDING
LUIS POSADA
CARRILES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. KUCINICH. Mr. Speaker, today 20 Representatives sent to President Bush the following letter regarding the asylum application of terrorist Luis Posada Carriles and the extradition request from Venezuela:

DEAR MR. PRESIDENT: We are writing to urge you to oppose the application for asylum by Luis Posada Carriles, and to support the request for extradition to Venezuela, where he is a fugitive from justice.

Posada, a CIA-trained Cuban exile, is one of only two prime suspects in the bombing of a Cuban civilian airliner, which killed all 73 people onboard on October 6, 1976, according to FBI investigators and declassified documents. The plane had originated in Caracas and was bound for Cuba, with a stop in Barbados. The bomb went off as the plane was leaving Barbados.

In addition to the Cuban airline bombing, Posada is implicated in an act of terrorism that took place on American soil, here in Washington, DC. On September 21, 1976 former Chilean government minister Orlando Letelier and his American associate, Ronni Moffit, were killed by a car bomb near Sheridan Circle. The bombing was one of the worst acts of foreign terrorism on American soil to that date.

Carter Cornick, a retired counterterrorism specialist for the FBI who worked on the Letelier case, said in an interview that both the airline bombing and the Letelier bombing were planned at a June 1976 meeting in Santo Domingo attended by Posada in addition to others. Mr. Cornick said that Posada was involved "up to his eyeballs" in planning the attacks. At the time of the bombings, Venezuelan police found maps and other evidence in Posada's Venezuelan home that tied him to the terrorist acts. Furthermore, a recently declassified 1976 F.B.I. document confirms Posada's presence at two meetings in the Anauco Hilton Hotel in Caracas where the airline bombing was planned.

Posada, a dual citizen of Venezuela and Cuba, and a former Venezuelan intelligence agent, was jailed in Venezuela for the airline bombing, but then escaped from prison in 1985 while awaiting trial.

After escaping prison, Posada continued to terrorize civilians, and even boast publicly about his crimes. In a 1998 interview with the *New York Times*, he claimed responsibility for organizing a series of bombings aimed at Cuban hotels, department stores and other civilian targets during the summer of 1997. The bombings killed an Italian tourist and injured 11 other human beings.

Perhaps realizing he had not helped himself or his cause, Posada later retracted his statements.

In November 2000, Posada was arrested in Panama for preparing a bomb to explode in the University of Panama's Conference Hall, where Fidel Castro was going to deliver a speech. Hundreds of people were expected to attend this event, and had Cuban intelligence not uncovered the plot beforehand, there would have been massive civilian casualties. Posada was convicted in a Panamanian court only to be pardoned by Panamanian President Mireya Moscoso just days before she left office in August 2004.

Moscoso's successor, Martin Torrijos, criticized the pardon, aptly noting, "For me, there are not two classes of terrorism, one that is condemned and another that is pardoned."

Similarly, in 1989, when the Justice Department was considering the asylum request of Posada's fellow Miami militant, and suspected co-conspirator in the Cubana bombing, Orlando Bosch, then-Associate U.S. Attorney General Joe D. Whitley said, "The United States cannot tolerate the inherent inhumanity of terrorism as a way of settling disputes. Appeasement of those who would use force will only breed more terrorists. We must look on terrorism as a universal evil, even if it is directed toward those with whom we have no political sympathy."

Aside from the United States' foreign policy regarding Cuba, our stated, official national security policy against terrorism is unequivocally clear.

On September 19, 2001, Mr. President, you eloquently reaffirmed our national policy against terrorism: "Anybody who harbors a terrorist, encourages terrorism, will be held accountable. I would strongly urge any nation in the world to reject terrorism, expel terrorists."

On August 26th, 2003 you said, "If you harbor a terrorist, if you support a terrorist, if you feed a terrorist, you are just as guilty as the terrorists." The National Security Strategy of the United States, released in 2002 stated, "No cause justifies terror. The United States will make no concessions to terrorist demands and strike no deals with them. We make no distinction between terrorists and those who knowingly harbor or provide aid to them."

Not only must the United States reject the asylum application of Luis Posada Carriles, a known international terrorist, but Posada should also be returned to Venezuela for a proper adjudication of the case against him. Posada was a dual citizen of Venezuela and Cuba, he plotted terrorist crimes from Venezuela, including the bombing of the civilian airline flight that had originated in Venezuela, and he escaped from a Venezuelan prison. As a sovereign nation, Venezuela has the right to pursue justice in this case.

Posada's lawyer Eduardo Soto has objected to his client's return to Venezuela, arguing that he could be tortured there. To satisfy such concerns, the United States should abide by its standard policy on these matters, which according to William Haynes II, general counsel of the Defense Department, "is to obtain specific assurances from the receiving country that it will not torture the individual being transferred to that country." If this policy is applied in the transferring of prisoners to Syria, Morocco, Egypt

and Jordan, all countries whose abusive practices have been documented and condemned by the State Department's annual human rights report, then the United States must surely apply this policy to Venezuela, a nation with a Constitution that specifically prohibits torture and provides for the prosecution of officials who instigate or tolerate torture.

Many innocent victims who happened to be Cuban died at the hands of Posada, in a crime similar to that which killed innocent American victims on September 11, 2001. It is not only inconceivable to imagine the possibility of granting this terrorist asylum, but also of denying justice to all of the victims of his crimes. Such actions would go against everything that your Administration has claimed to stand for in the "War on Terrorism." It is our hope that for the sake of all the families of terror casualties in the United States and around the world that Luis Posada Carriles is not granted asylum in the United States, and that he is rightfully extradited to Venezuela where he will finally face justice.

Sincerely,

Dennis J. Kucinich, Raul M. Grijalva, José E. Serrano, Barbara Lee, Cynthia McKinney, Maurice Hinchey, John W. Olver, Bobby L. Rush, James P. McGovern, Edolphus Towns, Donald M. Payne, Sam Farr, Lane Evans, Bennie G. Thompson, Carolyn B. Maloney, Ed Pastor, Tammy Baldwin, Sheila Jackson Lee, Lynn Woolsey, Maxine Waters.

IN RECOGNITION OF GEN. PETER PACE, CHAIRMAN OF THE JOINT CHIEFS OF STAFF

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. ROTHMAN. Mr. Speaker, I rise today with great pride in honoring an extraordinary individual, Marine Corps General Peter Pace, who was recently nominated to serve as the Chairman of the Joint Chiefs of Staff of the United States Armed Forces. General Pace was raised in Teaneck, New Jersey, one of the largest municipalities in the Congressional District that I am privileged to represent. General Pace has risen to become the first Marine to lead the Joint Chiefs of Staff, an honor that he has earned through decades of hard work and determination. His story is a source of inspiration to every resident of the Garden State.

The son of an Italian immigrant, Peter Pace was born in Brooklyn, New York, and moved to Teaneck with his family the following year. After settling down in a home on Hillside Avenue, Peter quickly became involved in local youth athletics. While attending Teaneck High School, Peter worked hard and achieved academic excellence, which resulted in his acceptance to the United States Naval Academy in 1963.

Upon graduation from Annapolis and successful completion of The Basic School in Quantico, VA, Peter Pace was assigned to the 2nd Battalion, 5th Marines, 1st Marine Division in the Republic of Vietnam and served as a Rifle Platoon Leader. After returning from his combat duty in Vietnam, Peter served in a number of different staff and command positions, including Head of the Infantry Writer

Unit at the Marine Corps Institute, Security Detachment Commander at Camp David, White House Social Aide, and Leader of the Special Ceremonial Platoon.

In April of 1971, Peter was promoted to the rank of Captain, and was later assigned to a Security Detachment in Thailand. In the late 1970's, then-Captain Peter Pace held the position of Operations Officer and Division Staff Secretary at Camp Pendleton in Southern California, where he later served as Commanding Officer of the 2nd Battalion, First Marines Division following his promotion to the rank of Major in June of 1980. After heading up a Marine Corps Recruitment Station in Buffalo, NY and attending the National War College, Major Pace was promoted to the rank of Colonel in October of 1988, and advanced to the rank of Brigadier General in April of 1992. He was then appointed as President of the Marine Corps University before assuming various other commands. In recent years, as Vice-chairman of the Joint Chiefs of Staff, General Pace has been instrumental in shaping the Pentagon's efforts in the war on terrorism.

Mr. Speaker, I ask my distinguished colleagues to join me in giving our heartiest congratulations to General Peter Pace, the new Chairman of the Joint Chiefs of Staff of the United States Armed Forces, and a proud example of the Teaneck Public School System. His remarkable achievements and tireless service to his country, the United States Marine Corps, and his fellow servicemen and women clearly are a tremendous source of pride for all Americans and especially all his friends and family from New Jersey.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. BARRETT of South Carolina. Mr. Speaker, due to obligations in South Carolina, I unfortunately missed recorded votes on the House floor on Monday, May 16, 2005.

I ask that the RECORD reflect that had I been able to vote that day, I would have voted "yes" on rollcall vote No. 171 (Motion to Suspend the Rules and Pass H.R. 627—Linda White-Epps Post Office), "yes" on rollcall vote No. 172 (Motion to Suspend the Rules and Pass H. Res. 266—Peace Officers Memorial Day), and "yes" on rollcall vote No. 173 (Motion to Suspend the Rules and Pass H.R. 2107—National Law Enforcement Officers Memorial Maintenance Fund).

IN HONOR OF ALICE YARISH

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Alice Yarish of Marin County, California, who died at the age of 96 on May 9, 2005. Alice was a fixture of the Marin community for many years, known as much for her outspoken and occasionally flamboyant personal style as for her crusading journalism.

Born in Nevada and raised in Redondo Beach, CA, Alice's first foray into journalism was a stint as the high school correspondent for the city's South Bay Breeze. She graduated from the University of Southern California during the depression and, unable to find a job, enrolled in law school, continuing a family tradition. She could not afford to complete the program and supported herself as a social worker for the next five years.

In 1942 Alice married Peter Yarish who was in the Air Force. A few years later the couple moved to Hamilton Air Force Base in Marin where Alice lived the life of a military wife for several years while raising four children. In 1952, when her children were school-age, she was able to return to journalism at the age of 43. First a reporter for the San Rafael Independent Journal, she later worked for the Santa Rosa Press Democrat and the Novato Advance before establishing the Marin News Bureau for the San Francisco Examiner. In 1970 she became the assistant editor of the Pacific Sun where she gained a reputation for dry wit, investigative coverage of local government, social commentary on the hippie scene, and a strong passion for social justice.

Prison reform became one of Alice's special crusades after she met well-known inmate George Jackson who was later killed in an attempted outbreak. "Jackson opened my eyes and filled me with information which I had not known before," she wrote. "I was shocked by what I learned . . . prisons tend to be breeding grounds of crime, generators of bitterness, destructive of men's souls. They are a failure."

A 1972 series on abuses in the Marin County Drug Abuse Bureau led to its abolition and replacement with an agency which operates under review by elected officials and city managers. This series led to an Award for "Best Story in a Bay Area Paper" from the San Francisco Press Club. Alice's enjoyment of her work and zest for life were contagious, whether leading her home-town parade in her newly purchased red convertible at the age of 77 or serving actively with community agencies such as the Adult Criminal Justice Commission, the Marin Association for Mental Health, and others.

Alice is survived by her four sons, Peter, Tom, Anthony, and Robin Ell, and by seven grandchildren and three great-grandchildren.

Mr. Speaker, as a self-described "outspoken broad," Alice championed those who couldn't speak out for themselves and inspired others to do likewise. We will miss her fearless voice, her compassion, and most of all her undaunted spirit.

IN HONOR OF DR. KAREN HERZOG

HON. KENNY C. HULSHOF

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. HULSHOF. Mr. Speaker, on May 20th, East Central College in Union, Missouri will watch with pride as young men and women receive their diploma and enter the working world. Commencement is a joyous time filled with celebrations and happiness, but also sadness and trepidation as students begin their adult lives and careers in new cities, often leaving friends behind.

East Central College's upcoming graduation will be no different. There will, however, be

one major difference from previous graduations—it will mark the last time that Dr. Karen Herzog presides over her students in her official capacity as the college's President.

As such, I rise today to honor Dr. Karen Herzog for her distinguished academic career and commitment to higher education. Dr. Herzog grew up in Carthage, Missouri and studied at Ozark Christian College in nearby Joplin where she earned a B.A. in literature. She subsequently earned a master's degree in American literature from Kansas State University and later a Ph.D. in higher education policy from the University of Kansas.

Dr. Herzog started her academic career at the Metropolitan Community College District system located in the greater Kansas City area where she taught English. After fifteen years, Dr. Herzog moved into an administrative role at the college. She rose through the ranks and eventually assumed the position of Associate Vice Chancellor of Education. In 1999, East Central College offered Dr. Herzog the Presidency, which she accepted.

For the past six years, Dr. Herzog has made an indelible mark on the students of East Central College and residents of Franklin County. She has chaired the Franklin County Economic Development Council and been a member of the Franklin County Family and Children Mental Health Board, the Washington 353 Redevelopment Corporation and the Union Rotary Club. While at East Central, Dr. Herzog established a centralized Learning Center for students, earned full ten-year accreditation from the North Central Association of Colleges and Schools and attained record enrollment levels. Dr. Herzog has clearly had a positive impact on the community, on East Central College, and most importantly, on the students that have received a quality education as a result of her efforts.

It has been a pleasure working with Dr. Herzog and I wish her continued success in her future endeavors. Her dedication to Missouri's students is exemplary and deserving of commendation. For these reasons, it is my pleasure to rise and share her accomplishments with my colleagues.

TRIBUTE TO ELEANOR MCGOVERN

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. MCGOVERN. Mr. Speaker, when George McGovern ran for president in 1972, his wife Eleanor inspired the slogan, "Put another Eleanor in the White House." Eleanor McGovern, like Eleanor Roosevelt, has a deep love for this country and has dedicated much of her life to causes and campaigns that would make this country—and the world—a better place.

I've known Eleanor for many years and have admired her intellect and compassion. She was an early advocate for early childhood education and, like her husband, has been a voice of peace and tolerance.

Mr. Speaker, I would like to insert into the RECORD a recent article about Eleanor McGovern which appeared in the Sioux Falls Argus Leader on May 15th. I ask all my fellow colleagues to join me in paying tribute to this remarkable woman.

[From the Sioux Falls Argus Leader, May 15, 2005]

A DEVOTED LIFE

(By Jill Callison)

MITCHELL.—ELEANOR MCGOVERN ENTERED MARRIAGE HOPING ONLY THAT HER HUSBAND, GEORGE, WOULD RETURN FROM WAR UNSCATHED.

If he did come back, she expected to be the wife of a history teacher.

Instead, she found herself spending more than 50 years as a politician's wife. But she also carved out a place for herself, becoming more than "the wife of."

Indeed, George McGovern's career—which includes 12 years as a U.S. senator, Democratic presidential candidate and ambassador to United Nations agencies—may not have soared as high as it did without his wife's support, some say.

"He may not have had the political career he has had without her," says Judy Harrington of Hill City, who served as George McGovern's state representative from 1973 to 1980.

"I think her support, her insights, ideas and gentle corrections have helped him all along his path of public service."

The senator himself describes his wife of 61 years as his most helpful critic and most trusted adviser.

On June 23, ground will be broken for a new library and center for public service at Dakota Wesleyan University in Mitchell. The building will carry two names: George and Eleanor McGovern.

"Eleanor's done a lot of great things, and we're proud of her at Dakota Wesleyan," says Greg Christie, vice president for institutional advancement.

But a public life can come at a cost.

Eleanor McGovern, now 83 and growing frail, prefers to shun the spotlight that once shone on her family, sometimes with a scorching heat.

"George still travels a lot, but I don't go with him very often," she says, sitting in the living room of their Mitchell ranch-style house. "Going from city to city and lecture to lecture isn't my idea of fun. I like to go to one place and stay for a while."

Last week, the McGoverns took off on a three-day trip to reach their summer home in southwestern Montana, in the shadow of the Bitterroot Mountains.

The trip takes three days, Eleanor McGovern says, to make it easier on the pets, an 8-year-old Newfoundland named Ursa and a 1-year-old tortoiseshell cat found on the highway. Its name, she admits with a trace of embarrassment, is Kittykat.

Ursa, they say, is George's dog. But the nurturing Newfie proved her loyalty about three years ago. Eleanor McGovern had fallen, breaking her leg in two places. She dragged herself to her bedroom but was unable to reach the phone. Ursa curled herself around the prone woman for 24 hours, until help arrived.

Yet, although she's often alone and sometimes lonely, Eleanor continues to support her husband's public service, no matter how often he must leave.

"She started off carrying that load when he was gone in the war after they were married," says Paul Jensen of Rapid City, a longtime friend.

"But today I am more aware of the juxtapositions of love and deprivation in my childhood, of freedom and responsibility in my youth, and of tenderness and chaos in my maturing years. Without those myriad strands it would have been more difficult, I know, to accept the different drives and natures of five children, to support a gentle, questioning man as he moved from teaching to the ministry to politics, and to keep something in reserve for myself." From "Uphill:

A Personal Story" by Eleanor McGovern with Mary Finch Hoyt.

Eleanor McGovern began that uphill climb Nov. 25, 1921, when she arrived 30 minutes after the birth of her twin, Ila.

Her parents, Earl and Marian Stegeberg, farmed near Woonsocket. It was a hard life, made even more difficult by the early death of her mother when the twins were 11 and their sister, Phyllis, was 4.

Her father withdrew into a sadness that truly never broke until the birth of his first grandchild, the McGoverns' oldest daughter, Ann, in 1945.

Eleanor and Ila became the family housekeepers.

"I have a memory of trying to bake a cake," Eleanor McGovern says. "I had a recipe, but I came to an ingredient I didn't know—baking powder. So I left it out. That was a very flat cake."

In high school, the twins stayed in Woonsocket, doing housekeeping in exchange for room and board. They took turns going home weekends.

Living in town allowed them to take part in activities such as debate. That was how they first encountered a Mitchell teenager who already had made a name for himself. George McGovern and his partner debated the Stegeberg twins—and lost.

"Having high admiration for George, we adore the woman who beat him," says Harrington, McGovern's former state representative.

But the two didn't really meet until they were freshman at DWU. In "Uphill," Eleanor McGovern talks about how he asked her on a first date.

Now she admits she had advance warning. Eleanor worked in the dean's office, Ila down the hall. Ila stuck her head in the door to tell her sister a request for a date was coming.

"And don't you dare refuse him," Ila hissed at her twin.

"It never occurred to me he would ask me for a date," Eleanor McGovern says. "He was a big man on campus."

"I'd say within a year of that our first date I was pretty sure Eleanor was the one," George McGovern says.

"It was a dreamy spring. I had never known anything like it before. My only concern was that George might not care so much as I. Then on a beautiful clear afternoon he urged me to skip class with him and as we strolled slowly down the street south of campus, he reached down and took my hand. I had my answer. A clasping of hands meant everything then."

Their campus life was short. Eleanor McGovern quit her business courses at DWU. Her sister left for Rochester, Minn., and nurse's training, and Eleanor gave financial support.

The world had changed, too. After Pearl Harbor was bombed on Dec. 7, 1941, George McGovern volunteered for service in the Army Air Corps. He was called up in 1943.

The couple considered delaying marriage until after he returned from combat but decided not to wait. On Halloween Day 1943, they were married in the Methodist church in Woonsocket.

"My father liked George very much, but he didn't think we should get married, and he said he would not take part in the wedding," Eleanor McGovern says. "But he came that day and gave me away."

The newlyweds took a train to Muskogee, Okla., the next day, Eleanor sometimes sitting on their suitcase in the aisle.

She lived alone in a rented bedroom while her husband returned to the base. They saw each other twice a week.

She followed him to Kansas, Texas, Nebraska and Idaho, before returning home to await the birth of their first baby.

"I had really wanted to get pregnant," she says. "George was going overseas, and I wanted to have a baby."

He would not see Ann until she was 5 months old.

After the war, he completed his degree at DWU. The son of a Wesleyan Methodist pastor thought he, too, would follow that path.

As a student pastor's wife, Eleanor McGovern had her first taste of being in the public eye.

"A lot is expected of a minister's wife," she says. "And with two children very small (daughter Susan had arrived a year after Ann), I wasn't ready."

In any case, it didn't last long. George McGovern left seminary, earning a doctorate in history. He taught at DWU before leaving to help reinvigorate the South Dakota Democratic Party.

Three more children, Teresa, Steven and Mary, arrived.

And in 1955, Eleanor McGovern officially became a politician's wife when her husband ran for the U.S. House of Representatives. "I was happy when George went into politics," she says. "People in my family cared about what was happening in the country."

The first campaign was the toughest, she says. Then, they fell into a similar rhythm.

She began the last campaign, in 1980, with typical humor. As a temporary home in Mitchell, staffers rented the McGoverns an aging apartment, with linoleum floors, ancient cupboards and poor lighting.

"When George and Eleanor arrived for the first time to see it—looking ever so much like an apartment they had when they first married—Eleanor looked around, smiled and said, 'Well, George, it looks like we're starting over,'" Harrington says. "They didn't seem to mind at all."

While he served in Congress, she pursued her own interests, primarily children and families and the choices confronting women as the stay-at-home '50s transformed into the turbulent '60s.

Eleanor McGovern spoke out for adequate day care. "She was ahead of her time in accepting that as appropriate," says Berniece Mayer of Sioux Falls, a former McGovern staffer.

Until the demands of her husband's political career—particularly his bid for the presidency in 1972—required her to travel, Eleanor McGovern served as, often, a single parent.

"I'm sure Eleanor's had periods where she wishes she'd never been married to a politician, somebody running for Congress, running for the Senate, running for the presidency, running, running, running," George McGovern acknowledges.

"There was one period when I was representing South Dakota in the House of Representatives when I came out here 25 weekends in a row, and that plays havoc with your wife and your kids," he says.

"I was determined to help with George's career, not only by taking responsibility for the family, but by contributing ideas. In fact, I never considered it 'George's' career—it was 'ours.'"

Sometimes Eleanor McGovern did think "Stop!" she says, but "I never said it. It meant so much to him. He loved being a politician, and he accomplished a lot."

But if she could change anything, she would not have moved the children so often. "If I had to do it over again, I'd stay with them in South Dakota," she says.

The McGoverns have 10 grandchildren and one great-grandchild. A second great-grandchild is on the way.

Their children are scattered from Montana to England. There are only four now, since their middle child, Terry, died in 1994, after years struggling with alcoholism.

The sadness from her daughter's death will never leave Eleanor McGovern.

"There are pictures of her in the bedroom," she says. "When I go by, I always find myself softly reaching out and touching her picture."

Her husband later wrote a book about their daughter, "Terry." It was therapy for him, she says, but Eleanor McGovern has chosen to speak only rarely about her daughter's addictions.

It's OK that they have differences of opinions, he says.

"We don't worry about the fact that sometimes there could be a little tension and differences of opinion and irritation," he says.

"We just take that as a part of life. You can't expect complete harmony in a marriage. You have to give the other person a little freedom, too, to move to the things that they're interested in."

"Even today I have fleeting pangs of anxiety when I leave where I am to go to someplace else. I can describe it only as a vague sense of loss of place."

So he travels the country, and she generally stays home.

"She's had lots of opportunities in her lifetime to be in the public eye, and she goes out of her way to stay out," Christy says. "Some time ago she decided to let George do that."

The death of her sister, Ila, in 1996 also was a blow. "It left quite a void in my life," Eleanor says.

Books can't fill that gap, but they often fill her days. Her husband calls her the best-read woman he knows. Eight or 10 magazines come to the house every week; she reads them all.

She loves birds, particularly meadowlarks. Mayer remembers taking Eleanor McGovern out in the prairie to hear their sweet sound. When time wouldn't permit, a local radio announcer would tape the bird calls for her.

It would take her home, even in a Washington, D.C., suburb.

"Many times I ached for Woonsocket and Mitchell, for cottonwoods and elms, for schools, shops, markets, doctors' offices, more often than not sprinkled with dear friends or relatives, all within walking distance."

HONORING TOM GREEN FOR HIS SERVICE TO TENNESSEE

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. COOPER. Mr. Speaker, I rise today to pay tribute to Mr. Tom Green. The humorist Will Rogers once said that the secret of his success was that he never met a man he didn't like. The same can be said of Tom Green. He makes friends with everyone, everyday, everywhere. He is the ultimate people person, always asking—and, much more important, caring—about you, your family, your friends, and remembering the details perfectly for decades. I wish I had a fraction of his talent.

Tom is well known back home for his wonderful family, for his continuing and tireless efforts benefiting the Natchez Trace Parkway, as well as for his dedication and service to Nashvillians during his long business career and, more recently, as a key member of my district staff.

The Natchez Trace is the pioneer roadway that connected Nashville with the lower Mississippi River at Natchez. In modern times

the Trace fell into disuse and was nearly lost to history. In 1934, Congress ordered a survey of the old wagon road, and, in 1937, provided initial funding for construction of what would eventually become the 444-mile-long Natchez Trace Parkway running through rural Mississippi, Alabama and Tennessee. Today, the Parkway is one of the most visited national parks and serves as a unique thoroughfare, allowing us to ride in comfort along an ancient trail through some of the most beautiful scenery in our country.

Tom has helped the Natchez Trace Parkway for decades, from the days of legendary Congressmen Jamie Whitten of Mississippi and Tom Bevill of Alabama. He worked hard to secure federal funding to complete and beautify the Parkway. Everyone associated with the Parkway knows that Tom is a great organizer, motivator, and promoter of the Trace. Just stop and eat a ham biscuit at the famous Loveless Café at the head of the Trace and you'll hear Tom's name mentioned frequently and with deep respect. Without Tom's efforts, the Natchez Trace Parkway would not be the link between the past and future of our region that it is today. Everyone in the Southeast United States is indebted to Tom for his vision. He helped save the Trace before it was too late.

His tireless work on the Natchez Trace Parkway is just one of his important contributions. Tom is a true servant of his community. Born to remarkable parents in Lewisburg, Tennessee, he served in WWII and came home to graduate from the University of Tennessee, manage the local co-op and open a small business. He was so popular he was elected Mayor of Lewisburg. Later moving to Nashville, he helped many Middle Tennessee businesses expand, thanks to his keen credit decisions while heading up industrial development projects for Third National Bank. Those years were the golden age of Third National under the leadership of the legendary Sam Fleming, but it was men like Tom Green that brought the loans to the bank. Money is a commodity; customer relationships are more precious than gold.

Tom went on to help all Nashvillians when he spent more than a decade as the associate general manager of the Nashville Electric Service, the local electric utility. Just one of the many people Tom helped was an African-American barber in a poor part of town. The barber would call Tom to tell him about an upstanding citizen who just couldn't pay their electric bill that month, but would pay when they found work. He asked Tom to keep their lights on and Tom did just that. As a former banker, Tom knew how to make character loans, whom to trust and whom not to. Despite being a monopoly, NES kept the goodwill of its hardworking customers and Tom made even more lifelong friends at a time when most white Nashvillians did not care much about goodwill in the black community. The barber is still in business in the same location and I have visited his barbershop with Tom. The barber's name is Vernon Winfrey, and he is the father of Oprah Winfrey. Tom bent over backwards to help him before he had any realistic hope of fame or fortune. That's the kind of guy Tom is.

Married for 53 years to Pat Green, the Greens are the parents of four outstanding grown men and grandparents of eleven children. Tom is an active member of the Nash-

ville Downtown Rotary Club and Christ the King Catholic Church and finds time to volunteer at the Nashville's "Room in the Inn" program for the homeless and at St. Thomas Hospital. Pat is a renowned local teacher who is directly descended from Abraham Lincoln's first-grade school teacher. Needless to say, the Green family is well educated.

Tom's generous spirit and joyful approach to life immediately come to mind when anyone thinks of him. No matter how busy his day may be, Tom always has a smile, an encouraging word and a couple of minutes just to talk . . . sometimes more than a couple of minutes. He'll pick up the conversation just where you left it . . . the day before, a week or a month ago. He always knows the news and has lots of tips about everyone's background, interconnections, and exactly how to approach everyone. His mind is better than a computer database. There's never been anyone like him.

Of course, I am the lucky one. Tom Green has been a key part of my office staff for the past several years. No one could ask for a more positive, uplifting presence in the office, or a better person to represent you out in the community. Not only does he know everyone, he also has great ideas. For example, last year Tom Green persuaded Vernon Winfrey to make available Oprah Winfrey Scholarships to Nashville Tech Community College. Now all future generations will benefit from an old interracial friendship, formed on the basis of taking a business risk to keep the lights on for decent, hardworking people who were temporarily down on their luck.

I am truly fortunate and want to take this moment to thank Tom for bringing his integrity, his energy and his ever-present sense of humor to my Congressional team. He can outwork a dozen people half his age. I want to take this moment to publicly offer my thanks, and the thanks of everyone in the 5th Congressional District of Tennessee, for Tom Green's extraordinary service to our community, our state and our country.

SUPPORTING REACH OUT AND READ PROGRAM

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mrs. CAPITO. Mr. Speaker, today I rise in support of the Reach Out and Read program. The Reach Out and Read Program is a program that promotes early literacy by making reading a standard part of pediatric primary care by encouraging doctors and nurses to advise parents about the importance of reading to children. Reach Out and Read programs are located in over 2,000 hospitals and health centers around the country. Annually, more than two million children participate in Reach Out and Read. My district is proud to have 14 Reach Out and Read programs that provide over 15,000 books to nearly 11,000 West Virginia children annually. I have participated three times in Reach Out and Read Programs in Kanawha and Roane Counties in my district.

By building on the unique relationship between parents and medical providers, Reach Out and Read helps families and communities

encourage early literacy skills so children enter school prepared for success in reading.

President Bush included Reach Out and Read in his fiscal year 2006 budget request, continuing a multi-year effort to support this vital reading program. Reach Out and Read has a strong track record of raising non-federal dollars and is capable of more than double the impact of its 2006 appropriation. In January Reach Out and Read undertook a major 2-year initiative to increase the number of children reached by 50 percent through mid-2007. This bold step will greatly increase the number of West Virginia children who grow up in a household where early reading is encouraged.

Reach Out and Read assists families and communities in encouraging early literacy skills so children enter school prepared for success in reading. The continued support of this program is critical to the success of the Reach Out and Read program.

TRIBUTE TO CHUCK AND SHELBY OBERSHAW

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. BACA. Mr. Speaker, I rise to pay tribute to two outstanding leaders in my community who are to receive the Golden Baton Award from the San Bernardino Symphony Guild in recognition of their proactive role in fostering the culture of music in the Inland Empire. Today, I join family and friends in honoring Chuck and Shelby Obershaw for their remarkable achievements and express enormous pride in this recognition that has been afforded to them.

Chuck Obershaw was raised in the Inland Empire where he devoted himself to his family, friends and community. He selflessly served as a para-glider trooper in the 187th regiment of the 11th Airborne Division before returning to San Bernardino in the 1940s.

Chuck's accomplishments are as remarkable as they are diverse. He has served as President of the San Bernardino Area Chamber of Commerce, the San Bernardino Motor Car Dealers, the Air Force Association, and the Norton Air Force Base Chapter. In these capacities, he has been an integral contributor to the management and administration of community affairs and worked tirelessly for a better way of life for all of San Bernardino's residents.

Shelby Obershaw also proved the importance of serving your community. After moving to San Bernardino in 1959, she dedicated all her energy to shaping the minds of the future leaders of tomorrow as a dedicated teacher in various area high schools.

Her list of accolades is no less illustrious. They include election to the San Bernardino City Unified School District Board of Education, serving as President for 2 years, Director of the San Bernardino Chamber of Commerce, and member of the San Bernardino Chapter of the National Assistance League. She has also received the California PTA Honorary Service Award and the Citizen Achievement Award from the League of Women Voters.

Throughout their lives, Chuck and Shelby Obershaw have exhibited kindness, love, humility, and a deep resolve to ameliorate all aspects of community life, so it is only appropriate that they receive the Golden Baton Award.

Mr. Speaker, I am proud to recognize Chuck and Shelby Obershaw and express my sincere admiration that they have received this wonderful and well-deserved honor.

RECOGNITION OF FRIEDREICH'S ATAXIA AWARENESS DAY

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. BOEHNER. Mr. Speaker, I rise today in support of Friedreich's Ataxia Awareness Day, which is recognized each year on the third Saturday in May.

Friedreich's ataxia is a life-shortening neurological disorder usually diagnosed in childhood, causing weakness and loss of coordination in the arms and legs; impairment of vision, hearing and speech; scoliosis, diabetes; and a life-threatening heart condition. Most patients need a wheelchair full-time by their twenties. Life expectancy is reduced to early adulthood. There is currently no effective treatment or cure for Friedreich's ataxia. Sadly, I have a young constituent who suffers from this rare disease, Evan Luebke. Evan and his family are working to bring awareness to this disease in my district. I am proud of the strength and courage he exemplifies as he battles this disease.

Although there is no effective treatment or cure available, Friedreich's ataxia patients and families have more and more reason for real hope. An extraordinary explosion of research insights has followed the identification of the Friedreich's ataxia gene in 1996. Since that discovery, research scientists have learned a great deal about the disorder. We now know what defects in the gene cause the disease, what protein the gene is supposed to produce, what that protein is supposed to accomplish, and why a shortage of the protein results in the cell death that leads to the disease symptoms. Investigators are increasingly optimistic that they are drawing closer to understanding more fully the causes of Friedreich's ataxia and to developing effective treatments. In fact, they have recently declared that, "in Friedreich's ataxia, we have entered the treatment era."

At the National Institutes of Health and around the world, clinical trials for Friedreich's ataxia are being conducted on drugs that hold real promise. The growing cooperation among organizations supporting the research, and the multidisciplinary efforts of thousands of scientists and health care professionals, provide powerful evidence of the determination to conquer Friedreich's ataxia.

On the third Saturday of May, events will be held across our country, including one in West Chester, Ohio, to increase public awareness of Friedreich's ataxia and to raise funds to support the research that promises treatments for this disease. I applaud the Friedreich's Ataxia Research Alliance (FARA) for its contributions to these efforts and ask my colleagues to join me in recognizing May 21,

2005, as Friedreich's Ataxia Awareness Day to show our concern for all those families affected by this disorder and to express our support and encouragement for their efforts to achieve treatments and a cure.

STATEMENT INTRODUCING REPEAL OF SELECTIVE SERVICE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. PAUL. Mr. Speaker, I am today introducing legislation to repeal the Selective Service Act and related parts of the United States Code. The Department of Defense, in response to calls to reinstate the draft, has confirmed that conscription serves no military need.

Secretary of Defense Donald Rumsfeld is on record citing the "notable disadvantages" of a military draft, adding, ". . . there is not a draft. . . . There will not be a draft."

This is only the most recent confirmation that the draft, and thus the Selective Service system, serves no military purpose.

Obviously, if there is no military need for the draft, then there is no need for Selective Service registration. Furthermore, Mr. Speaker, Selective Service registration is an outdated and outmoded system, which has been made obsolete by technological advances.

In fact, in 1993, the Department of Defense issued a report stating that registration could be stopped "with no effect on military mobilization and no measurable effect on the time it would take to mobilize, and no measurable effect on military recruitment." Yet the American taxpayer has been forced to spend over \$500 million dollars on an outdated system "with no measurable effect on military mobilization!"

Shutting down Selective Service will give taxpayers a break without adversely affecting military efforts. Shutting down Selective Service will also end a program that violates the very principals of individual liberty our nation was founded upon. The moral case against the draft was eloquently expressed by former President Ronald Reagan in the publication *Human Events* in 1979: ". . . it [conscription] rests on the assumption that your kids belong to the state. If we buy that assumption then it is for the state—not for parents, the community, the religious institutions or teachers—to decide who shall have what values and who shall do what work, when, where and how in our society. That assumption isn't a new one. The Nazis thought it was a great idea."

I hope all my colleagues join me in working to shut down this un-American relic of a bygone era and help realize the financial savings and the gains to individual liberties that can be achieved by ending Selective Service registration.

SUPPORTING THE GOALS AND IDEALS OF PEACE OFFICER ME- MORIAL DAY

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2005

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this week marks National Police Week, with May 15th designated as Peace Officers' Memorial Day. It's a week where we pay tribute to our nation's law enforcement officers. In recognition of this event, I would like acknowledge the efforts of our federal, state and local law enforcement. Without their courage, commitment, and ability to meet the many challenges, our lives as Americans would be very different.

Simply put, law enforcement officers risk their lives so that others are protected. Every day these brave men and women go to work knowing there is a possibility they may not come home.

Last year, 153 police officers were killed in the line of duty. That is 153 fathers, mothers, brothers, sisters, daughters, and sons who weren't able to go home to their families at the end of the workday.

The Dallas Police Department has lost a total of 75 police officers:

C.O. Brewer, William H. Riddell, William McDuff, Leslie N Patrick, T.A. Tedford, W. Roy Thornton, Leroy Wood, Johnnie E. Gibson, John R. Crain, Charles S. Swinney, Dexter Clayton Phillips, Clarence Marshall Isbell, Alex W. Tedford, Sam Griffin Lanford, Jesse Emmett Griffin, Luke J. Bell, Ernest E. Leonard, Jr., John W. Dieken, John R. Roberts, Ralph Wendell Hoyt, Victor Leon Morris, Ernest Elmer Bates, Jr., Preston D. Hale, William Edward Stafford, Johnny W. Sides, Leonard C. Mullenax, Ray Allen Underwood, J.D. Tippit, Frank Weldon Bennett, James Douglas Stewart, Floyd A. Knight, Robert H. Shipp, Johnnie T. Hartwell, Allen Pery Camp, Carl Jackson Cooke, Howard Kenton Hicks, Joe Jones, Levy McQuietor, Jr., Milton E. Whatley, Donald P. Tucker, Sr., Leslie G. Lane, Jr., Alvin Duane Hallum, Alvin E. Moore, Robert W. Wood, John T. McCarthy, Charles J. "Chip" Maltese, Jr., John R. Pasco, Carl J. Norris, Ronald D. Baker, Robert L. Cormier, James C. Taylor, Thomas Lee Harris, Gary Reeves Blair, James Allen Joe, John Glenn Chase, Gary Don McCarthy, Walter Leon Williams, Lawrence R. Cadena, Sr., Lisa L. Sandel, Mark L. Fleming, Michael R. Okelberry, Thomas G. Burchfield, Sunny Ma Lov, Lawrence David Bromley, Harold Lee Hammons, Billy W. Daughterty, John Paul Jones, Jr., Richard A. Lawrence, David R. Galvan, Thomas D. Bond, Henry Allen Brown, Harold F. Baird, Jr., Donald F. Flusche, Jr., Christopher K. James, and Patrick Lee Metzler.

Mr. Speaker, the risk encountered by law enforcement officers serving in communities throughout this country is enormous; and this extraordinary sacrifice is all too often viewed as routine. Police officers put themselves at risk so that our communities can be safe. One week of recognition is simply not enough for that type of selflessness. America's men and women in uniform give us their best, and they deserve the best from us in return.

TRIBUTE TO THE LATE EINEZ YAP

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. MEEK of Florida. Mr. Speaker, I rise to pay tribute to the late Einez Yap.

Einez Yap, who passed away unexpectedly on May 18, 2005, was a quintessential community activist who went about helping others in a quiet and dignified manner. Her passing is tragic, not just to her family, but to all those who knew her.

She was the visionary behind the establishment of LEASA Industries in 1977, when it began as a small family-owned business. Since its humble beginnings in Liberty City, the company has grown to become one of the largest growers of bean and alfalfa sprouts and one of the largest manufacturers of tofu and suppliers of fresh fruits and vegetables in the state of Florida.

A dutiful partner and wife to George Yap, President/CEO of LEASA Industries, Einez was a doting mother and proud grandmother. Her business acumen was instrumental in enabling LEASA Industries to become a recipient of the prestigious National Minority Manufacturer of the Year Award for 1997–1998 and the acknowledgement of LEASA Industries as one of Florida's fastest growing private companies by the University of Florida's Center for Entrepreneurship and Innovation.

The tremendous success that Einez enjoyed in business, however, was secondary to her impact as a community leader. A member of several community organizations, Mrs. Yap was the resilient president of the Chinese Cultural Foundation and founder of the Organization of Chinese Americans, as well as the untiring entrepreneur spearheading the annual celebration of the Chinese New Year Festival in Miami-Dade County for the past decade. Additionally, she served on the Board of the Asian-American Federation of Florida, as well as Advisory Council of the National Alliance to Nurture the Aged and the Young (NANAY), Inc. She has been the patroness and benefactress of many more community organizations that are at the forefront of seeking equality of opportunity for minority groups; and she has been a featured leader for the Miami-Dade Community Relations Board as it deals with the challenge of inclusion of the disenfranchised and the underrepresented in our community.

Her contributions to our community were recently acknowledged in March of 2005, when she was honored as a Pioneer at Miami-Dade County's "In The Company of Women" Awards—a distinction previously bestowed on the likes of former Congresswoman Carrie Meek and U.S. Attorney General Janet Reno, among others.

Her Catholic faith was the source of inspiration and motivation for her reaching out to the downtrodden—as evidenced by her commitment early on at LEASA Industries to employ hard-to-place and at-risk residents.

"They're God's people, too—and are in need of a second or third-chance in life . . . if we can't help them, then who will . . ." is often the stance that defined her commitment to the community she so loved.

Einez Yap was truly a woman of active compassion and a leader in our community,

and her passing is a heavy blow to our community. I know I speak for all my colleagues in extending our deepest sympathy and condolences to her husband, George Yap, and son Andrew.

HEAD START REAUTHORIZATION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. KUCINICH. Mr. Speaker, the goal of Head Start has always been to help young children in low-income families, specifically those below the poverty line, prepare for school. Head Start has focused its resources on the children most in need, and has been successful in narrowing the gap between disadvantaged children and their peers. Today, we can correct a problem in Head Start and ensure that it serves all the children it was intended to.

The poverty thresholds were developed in the early 1960s and at that time statistics showed that families typically spent one-third of their income on food. The thresholds were designed to take the costs of the Department of Agriculture's economy food plan for families and multiply the costs by a factor of three. Currently, the calculations of the poverty line for Head Start are adjusted by the Consumer Price Index annually to account for the growth in prices. Unfortunately, the current calculation leaves important factors out of the calculation of the poverty line.

Adjusting only for changes in price growth ignores the reality that times have changed. It is not 1965. Today, families are much more likely to spend significant portions of their income on housing. It is more likely that both parents will be working full time jobs. Both childcare costs and the likelihood that a family will need it have also increased.

Additionally, the failure to adjust the poverty line as wages have grown now means that families in poverty today are worse off relative to the typical family than families in poverty were 40 years ago. For instance, the threshold for a family of four, when the poverty thresholds were first introduced—\$18,810 in 2003 dollars—was 42 percent of the median income of a family that size. By 2003, the value of the poverty threshold for a family of four had fallen to 35.7 percent. Adjusting only for changes in price growth for the past 40 years has slowly eroded the group of intended recipients. Now we are left with families in need of assistance whose children are not even eligible for Head Start.

This amendment seeks to bridge the gap that has been created and ensure that it will not be created again in the future. Currently, the 2005 poverty line for a family of 3 is \$16,090. By tying the poverty line to wage growth, rather than price growth, the poverty line for a family of 3 would become \$19,610. The increase in the poverty line produced by this change by no means raises eligibility to include every child who could benefit from Head Start. But this adjustment will significantly help the families who should have been eligible all along. It is a step in the right direction; the direction of ensuring that the working poor are given the help they need to survive.

This committee is not only charged with ensuring that Head Start programs are per-

forming well but with ensuring that they are serving all the children they were intended to. This amendment will help to ensure that children do not continue to be left behind. I urge my colleagues on the Committee on Education and Workforce to join me in supporting my amendment.

TO HONOR MS. EMMA TORRES

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. GRIJALVA. Mr. Speaker, I would like to take a moment to recognize an amazing woman from my district, Emma Torres from Yuma, Arizona. She is a role model and inspiration for all; her work and dedication was recently recognized, internationally, when she was honored by Mexico's Ministry of Foreign Affairs with the Ohtli Award. This award acknowledges her contributions to the development of Hispanic communities and for her support in social causes. The Ohtli award is given to distinguished Hispanic leaders who devote their lives promoting and fostering the prosperity of communities in the United States. The word Ohtli means "righteous path" in Nahuatl.

Emma has been a strong border community leader and health advocate for migrant and seasonal farm workers in Western Arizona for more than 20 years. After losing her husband to leukemia in 1982, she turned a personal and painful life experience into a mission to enhance the quality of life of farm workers. She co-founded and is the current Executive Director of Campesinos Sin Fronteras, a grassroots, community-based organization that uses education and advocacy to improve the standard of living for farm workers. Prior to her current position, she was the Field Office Director for Puentes de Amistad/Bridges in Friendship under the leadership of the Arizona Border Health Foundation. In 2004, President George W. Bush appointed Emma to the US/Mexico Border Health Binational Commission.

She has pioneered the Lay Health Worker/Promotora Model in Arizona since 1987, and as a certified Inter-Cultural Affairs (ICA) facilitator has led efforts to bring adequate healthcare coverage to our most vulnerable populations.

Most recently Emma accomplished one of her personal dreams—she received her degree in social work from Northern Arizona University. This is the latest of recognitions for Emma's commitment, persistence, and belief in improving one's personal life and that of one's community.

Emma's life is an example to others; pursue one's dreams, believe in making change, be strong, and progress will prevail.

TRIBUTE TO MS. JACQUELINE H. SMITH, NORTH MIAMI BEACH COUNCILWOMAN

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. MEEK of Florida. Mr. Speaker, I rise to pay tribute to Ms. Jacqueline H. Smith, North

Miami Beach City Councilwoman. On May 20, 2005, the Commission on the Status of Women of the City of North Miami Beach and Women in Politics will gather at a farewell luncheon to "honor one of their own."

Throughout Ms. Smith's 10-year term on the North Miami Beach City Council, she is best known for her work on programs for children and senior citizens. Ms. Smith is a liaison to children's "Read Aloud Program." This tremendously rewarding program stimulates children's interest in reading and also promotes a decrease in television time by allowing children of all ages to listen to volunteers read books aloud. In addition, Ms. Smith is affiliated with the North Dade Children Center, where she is involved in youth and senior health fairs.

Ms. Smith has touched many peoples' hearts in North Miami Beach through her accomplishments as a member of numerous organizations. I want to applaud her tremendous commitment to community service, dedicating her time to organizations such as the National Organization of Women, the Carl Byoir Neighborhood Association, the Governing Board of Parkway Regional Hospital and the Board of Directors of United Democratic Club, just to name a few.

Besides serving as an elected official and community activist, Ms. Smith takes pride in being a teacher at Gertrude K. Edelman Sabal Palm Elementary School.

Ms. Smith has truly demonstrated that public service and education are achievements never beyond the reach of those willing to dedicate all their energy to accomplish the goals for the greater good of the public. I extend her my heartfelt gratitude for a superb job and wish her the best of luck in her retirement.

PRESERVING THE FOUNDATION OF LIBERTY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. KUCINICH. Mr. Speaker, I commend my friend and colleague, Representative C. L. "BUTCH" OTTER, as well as Elizabeth Barker Brandt, Professor of Law at the University of Idaho, for their excellent article recently published in the *Journal of Law, Ethics and Public Policy*, Notre Dame Law School. I am proud to be an original cosponsor of Congressman OTTER'S Security and Freedom Ensured Act of 2005 (SAFE Act) that rolls back the most alarming provisions of the Patriot Act. The article, *Preserving the Foundation of Liberty*, is an important critique of the federal government's expanding prosecutorial powers in the wake of the terrorist events in September 2001.

PRESERVING THE FOUNDATION OF LIBERTY
C. L. "BUTCH" OTTER & ELIZABETH BARKER BRANDT

The sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sun beam, in the whole volume of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power.

—Alexander Hamilton

Foundations are supposed to be steadfast. The very idea of a foundation is to provide a pinion between the fixed and the transient, the permanent and the temporary. The founda-

tion is the unalterable base upon which to build. So it is with our Constitution and Bill of Rights. They are the rock upon which we have built our modern republic, while protecting the individual from the government itself. For more than two centuries, they have provided the firm foundation of liberty and opportunity from which America and its people have taken wing, enjoying success and weathering failure, celebrating triumph and mourning tragedy.

After the terrorist attacks of September 11, 2001, forgetting our past and fearing our future, Congress began turning that foundation on its head, acting as if physical security requires the sacrifice of individual rights to government imperatives. While paying lip service to our heritage of limited government and individual liberty, we began acting as if individual rights are conditional, derived not from God nor inherent in the human condition, but subject to the collective expression of our fears. Worst of all, we convinced ourselves we were doing nothing of the kind, or that the manifest benefit of a safer society was worth risking the loss of individual liberties.

Congress passed the USA PATRIOT Act just weeks after the September 11 attacks, while the dead from the World Trade Center towers in Manhattan, the Pentagon in Washington, and from Flight 93 in Pennsylvania were still being buried. An anthrax threat, assumed by many at the time to be another terrorist attack, had forced members of Congress out of their offices. Few, if any, lawmakers were truly aware of the new and expanded law enforcement authority within the PATRIOT Act. They only knew that they had to do something to quiet the public's fears, and their own.

This was not an executive order from a president reacting to a concrete and immediate threat. This was not the temporary imposition of martial law in response to a natural disaster or military assault. This was the world's greatest deliberative body hastily enacting an incredibly detailed, complex, and comprehensive piece of legislation without all the facts. That haste and lack of deliberation left advocates backfilling many of the arguments in support of certain provisions of the law that now appear to be glaringly at odds with constitutional principles.

I. CONSTITUTIONAL FOUNDATIONS

The Framers of our Constitution drew on an extensive body of law and tradition to recognize certain rights were inalienable—they transcended the power of government: The colonists who fostered the tree of liberty recognized that individual rights were its taproot. The notion that "a man's home is his castle," a place free from the intrusion of government, was a time-honored theme—part of both the Code of Hammurabi and the pronouncements of the Roman Emperor Justinian. This notion was one of the inalienable rights with which Englishmen were thought endowed and which the English barons sought to protect, through the Magna Carta, from the ad hoc interference of King John.

The concept of inalienable rights infused the colonists' understanding of liberty. It can be seen in diverse writings, from Patrick Henry's rousing appeal for self-determination in the Parsons' Cause case of 1763 to the claim of the Declaration of Independence that "all Men are created equal, that they are endowed by their Creator with certain unalienable Rights. . . ." More than a desire for independence or equality, the idea that made America a reality and continues to make America great is that individual rights are God-given and unalienable and that government should be neither more nor less than man's collective expression of those

rights. That is the contract, the foundation upon which America was imagined. It is designed to protect individuals—their persons, homes, property, speech, worship, associations, and privacy—from the tyranny of government by the majority.

Yet, the Fourth Amendment reflected more than a generalized notion of inalienable rights. It was a specific response to the British government's pre-constitutional violation of colonists' individual rights through the use of "Writs of Assistance." The writs were general, universal, perpetual, and transferable search warrants used to enforce smuggling laws so the cash-strapped British crown could wring revenue from the colonies to satisfy the crushing debt of a worldwide empire. They authorized "all and singular justices, sheriffs, constables, and all other officers and subjects" to enter homes and businesses at will—ostensibly in search of smuggled items—and to seize virtually any property without accounting or recompense. Writs of Assistance blatantly disregarded personal privacy and offended basic civil liberties, as they were understood by colonial times. Not only were the writs broad and intrusive but many of the colonists believed they had been outlawed in Britain—that only the colonists were subject to such intrusions.

The infringement on personal privacy and property rights represented by the Writs of Assistance was so outrageous that, in 1761, it prompted Boston attorney James Otis, a loyal officer of King George III, to resign his position as an advocate general in the vice admiralty court. Subsequently, he was commissioned by Boston merchants to make their case against renewal of the writs. Otis's stirring five-hour argument indicted the expansion of government authority in violation of the individual rights of British subjects. "It appears to me (may it please your honours) the worst instrument of arbitrary power, the most destructive of English liberty, and the fundamental principles of law, that ever was found in an English law-book." Otis's argument in the Writs of Assistance case hinged on several major points, one of which was the invocation of the ancient notion regarding the sanctity of the home. Otis argued that householders would be reduced to servants under the writs because their homes would be subject to search at any time: "Now one of the most essential branches of English liberty is the freedom of one's house. Man's house is his castle; and while he is quiet, he is as well guarded as a prince in his castle. This writ, if it should I declared legal, would totally annihilate this privilege."

John Adams, then a young lawyer, was in the courtroom hear Otis's argument. Fifty-six years later, in a letter to a colleague, the founding father and America's second president recalled the impassioned defense of liberty as a transcendent moment on the path to revolution: "Then and there, the child Independence was born."

Also born that day, and reared to maturity by Adams and many others, was a critical element of America's constitutional foundation—the commitment to protect "the freedom of one house," which became the Fourth Amendment. The idea that those rights transcend the needs of any particular time and place is embedded in our jurisprudence. Justice Robert Jackson wrote:

The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and

other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.

With those words, the U.S. Supreme Court struck down the widely popular practice, adopted in a burst of patriotism during World War II, of requiring public school students to salute the American flag. Writing for the majority, Justice Jackson crystallized the argument for protecting most vigorously the least popular of our individual rights in the overheated political climate of the moment. While public displeasure served as a natural defense of liberty against the Writs of Assistance once Otis sounded the alarm, the Constitution and Bill of Rights institutionalized protection of minority rights from majority will and created a foundation for individual liberty. The test of such a foundation is how firmly it is reinforced against time and tides.

II. "SNEAK-AND-PEEK" WARRANTS PRIOR TO THE USA PATRIOT ACT

Just as the British crown felt compelled, in the interest of empire, to sacrifice the rights of citizens remote from the seat of government, section 213 of the PATRIOT Act, in the name of fighting terrorism, deprives Americans of the right to be "as well guarded as a prince in his castle." Section 213 of the PATRIOT Act greatly expands what already was constitutionally questionable authority for delayed notification of the execution of search warrants.

Prior to the PATRIOT Act, the Federal Rules of Criminal Procedure established the framework for the execution and return of warrants. Rule 41(f) requires that the officer executing the warrant enter the date and time of its execution on its face. It further requires that an officer present at the search prepare and verify an inventory of any property seized. Moreover, Rule 41(f) provides that the officer executing the warrant "give a copy of the warrant and a receipt for the property taken to the person from whom or from whose premises, the property was taken" or "leave a copy of the warrant and receipt at the place where the officer took the property." Congress recognized an extremely limited exception to the notification requirements under certain circumstances where notification would endanger the life or physical safety of an individual, would result in flight from prosecution, destruction of evidence, or intimidation of witnesses, or would otherwise jeopardize an investigation.

The case law regarding surreptitious searches was unsettled at the time the USA PATRIOT Act was adopted. The U.S. Supreme Court never directly addressed the constitutionality of broad surreptitious search provision. In *Berger v. New York*, the Court struck down New York's wiretapping statute because it lacked a number of procedural safeguards to limit the intrusiveness of wiretapping. Among the statute's deficiencies was that it had no requirement for notice. And, in contrast to other wiretapping statutes, the New York provision did not make up for the deficiency by requiring a showing of exigent circumstances to justify the lack of notice. However, in *Dalia v. United States*, the Court refused to hold all surreptitious searches per se unconstitutional. Rather, the Court reasoned that under some circumstances, surreptitious searches could be authorized where such searches were reasonable, such as where they were supported by a warrant.

On this landscape, the federal circuit courts addressed the constitutionality of delayed notification of searches. In *United States v. Freitas*, the Ninth Circuit held that a warrant that failed to provide for notice within a "reasonable, but short time" after the surreptitious entry was constitutionally

defective. The Freitas court held that a delay in notification should not exceed seven days, except when supported by a "strong showing of necessity."

Even courts upholding delayed notification of search warrants have imposed significant limitations on such searches. In *United States v. Villegas*, the Second Circuit reasoned:

Though we believe that certain safeguards are required where the entry is to be covert and only intangible evidence is to be seized, we conclude that appropriate conditions were imposed in this case. Certain types of searches or surveillances depend for their success on the absence of premature disclosure. The use of a wiretap or a "bug," or a pen register, or a video camera would likely produce little evidence of wrongdoing if the wrongdoers knew in advance that their conversations or actions would be monitored. When non-disclosure of the authorized search is essential to its success, neither Rule 41 nor the Fourth Amendment prohibits covert entry.

The Second Circuit determined that a number of safeguards applied to surreptitious searches. First, the court noted that if tangible evidence was seized during the search, officers must leave an inventory of the property taken at the location or must provide the inventory to the owner of the searched premises. Additionally, the court concluded that, with regard to electronic surveillance, the requirements of federal wiretapping laws provided significant safeguards. The court further reasoned that the safeguards of the federal wiretapping statute also apply by analogy to video surveillance. Even with regard to surreptitious entries in which no tangible property is seized, the Second Circuit held that law enforcement officers must establish that there is a reasonable necessity for the delay of notice and must provide notice within a reasonable, but short, period of time after the search. Although the Villegas court did not adopt the seven-day limitation of Freitas, the court did conclude that, as an initial matter, delays of longer than seven days should not be authorized.

While there is a paucity of case law on the general questions of whether and when notice of the execution of a search required, significant authority also establishes the closely related notion that law enforcement officials must knock and announce themselves before executing a search warrant. Even before American independence, British law required law enforcement officials to knock and announce themselves before executing a search warrant. The United States Supreme Court has recognized that whether law enforcement officers knock and announce themselves is a factor to be considered in determining whether a search is reasonable. The Court's reasoning was based substantially on the notion that government officials must provide notice before entering a person's home. The Court acknowledged that this notion formed part of the Framers' understanding of what constituted a reasonable search. While the Court has recognized an exigency exception to the "knock and announce" rule, it has not overruled it.

Thus, at the time the PATRIOT Act was adopted, no federal court had authorized unlimited use of "sneak-and-peek" warrants. Moreover, even those courts authorizing limited surreptitious entry had placed significant limitations on such searches.

III. "SNEAK-AND-PEEK" WARRANTS UNDER THE USA PATRIOT ACT

No federal court has ever confronted the virtually unlimited authority to dispense with notice contained in the PATRIOT Act. Section 213 eliminates the time limits for

notification under prior federal law, makes judicial review of the necessity of delayed notification perfunctory and so loosens the standard for delayed notification as to render it meaningless. It strikes at the foundation of liberty embodied in the Fourth and Fifth Amendments and at the essential protections of probable cause, due process, and separation of powers.

Section 213 amends 18 U.S.C. §3103a to add the following language:

"With respect to the issuance of any warrant or court order under this section, or any other rule of law, to search for and seize any property or material that constitutes evidence of a criminal offense in violation of the laws of the United States, any notice required, or that may be required, to be given may be delayed if (1) the court finds reasonable cause to believe that providing immediate notification of the execution of a warrant may have an adverse result (as defined in section 2705);

"(2) the warrant prohibits seizure of any tangible property, any wire or electronic communication (as defined in section 2510), or, except as expressly provided in chapter 121, any stored wire or electronic information, except where the court finds reasonable necessity of the seizure; and (3) the warrant provides for the giving of such notice within a reasonable period of its execution, which period may thereafter be extended by the court for good cause shown."

Section 213 changes prior federal law regarding notification of searches in several important ways. First, it permits delayed notification of a search in any case in which the government demonstrates that one of several adverse factors "may" occur, regardless of whether the investigation involves terrorism or the gathering of foreign intelligence. The adverse factors justifying delayed notice are that notification would endanger the life or physical safety of an individual, would result in flight from prosecution, destruction of evidence, intimidation of witnesses, or would otherwise jeopardize an investigation or unduly delay a trial.

This standard is so open-ended that these invasive warrants could be obtained as a matter of course; the government need only state that notification of a search "may" "seriously jeopardize" an investigation. Although the standard for delay was part of pre-PATRIOT law, the earlier statute was limited to covert seizures of electronic communications held in third-party storage.

The nature of criminal investigation is that unpredictable things may happen. It is always conceivable that the target of a search may act in an unpredictable fashion when he or she is notified of the warrant and thereby jeopardize an investigation. As a result, section 213 places virtually no limit on "sneak-and-peek" searches.

The second distinction between the PATRIOT Act and prior law is that officers may seize tangible property using a covert warrant under the PATRIOT Act without leaving an inventory of the property taken. Thus, the PATRIOT Act actually authorizes "sneak-and-steal" warrants. The law requires only that the warrant "provides for the giving of such notice within a reasonable period of its execution, which period may thereafter be extended by the court for good cause shown."

Again, prior statutory provisions for delayed notification applied only to electronic communications in third-party storage. The cases dealing with delayed notification authorized surreptitious entry but required officers to leave an inventory if property was taken. Although the approach of courts like the Second Circuit in Villegas, in our view, did not properly limit the use of "sneak-and-peek" warrants, it is significantly more limited than the PATRIOT Act approach.

Third, section 213 permits delayed notification even where the government seizes electronic information, so long as the court issuing the warrant finds “reasonable necessity” for the seizure. Thus, if officers get a warrant under federal wiretapping statutes, they still must comply with a complex set of safeguards. For all other warrants involving electronic communications—those involving video or Internet surveillance, for example—delayed notification under the PATRIOT Act applies.

Fourth, section 213 places no express limit on the length of the delay. Instead, it authorizes delay for a “reasonable period” of time and permits extensions of the delay for “good cause shown.” Section 213 opens the door for secret searches extending over months or even years without the knowledge of the target of the search. Such delays render notice meaningless. Although the judge in any particular case may impose a specific deadline by which notice must be given, the statute does not require such a deadline. Where the warrant itself does not impose specific time limits, judicial review of the necessity of continuing delay in notification is impaired. No concrete timeframe triggers a governmental duty to justify continued delay. Because the target of the search is, by definition, unaware of the search, he or she cannot be expected to seek review of the need for continued delay. Courts would have the opportunity to review the necessity of delay only after the fact, while also under the pressure to prosecute and admit evidence obtained through the notice-less search.

Finally, section 213 extends the availability of “sneak-and-peek” warrants far beyond the PATRIOT Act’s stated purpose of fighting terrorism. The provision contains no limitation on the types of cases in which a covert warrant could be used.

CONCLUSION

The threatening nature of section 213 is not obvious, and thus, it is more dangerous to the cause of preserving liberty. If the public is blinded by fear of terrorism or ignorance of what is at risk, section 213 has the potential to become the insidious mechanism of steady but discernible erosion in the foundation of our freedoms. Section 213 takes the exception and makes it the rule—in fact, makes it the law of the land. It gives broad statutory authority to secret searches in virtually any criminal case. Even if the Supreme Court upholds the constitutionality of such practices, Congress can—and should—limit them by statute. In such cases, justice delayed truly is justice denied.

Terrorism is a scourge that must be addressed. Government has a fundamental duty to protect its people from enemies, foreign or domestic. Fear of terrorism, or anything else, deprives us of free choice as surely as does tyranny; indeed, terrorism is an instrument of tyranny. We must not, however, allow fear to erode the constitutional foundation of our freedom. We can no more gain real security by being less free than we can gain wealth or wisdom or anything else of value. No such trade-off is possible. That is the definition of “unalienable”—rights with which we were endowed by our Creator, and which therefore cannot be repudiated or transferred to another. Our Constitution recognizes that higher law, and we ignore it at our peril.

We now are engaged in a national crisis, an unconventional war in which our surreptitious enemies use the camouflage of a free society’s commitment to privacy and diversity to achieve their goals. Our government is justified in adapting its law enforcement methods to the new threat, but we must take care to ensure those methods are consistent

with the timeless principles of our founding. To do less is to sanction a dangerous expansion of governmental authority and a corresponding reduction of personal privacy.

Our body of laws serves as both a connecting mortar and a protective barrier between the foundation of our Constitution and the structure of our government. Laws are necessary for applying constitutional principles to the endless variety of everyday life. They join the abstract and the concrete. They enable us to safely explore our freedom and realize the potential of liberty.

However, when laws reach beyond limits imposed by the Constitution, when they grant too much power to government and too little deference to the source of that power, they cease to connect or protect. If unchecked, these laws can destroy the foundation of individual rights. Proponents contend that we have nothing to fear from section 213 or any other provision of the PATRIOT Act. This may be true, as long as the public is as vigilant as the American colonists were after Otis inflamed their passions regarding the Writ of Assistance. But can we trust that the law will be used as judiciously, with as much care to protecting civil liberties, once the public’s attention has turned to other matters?

The concern is not new or unique to the PATRIOT Act. Few of our Founding Fathers had greater faith in his fellow man than Thomas Jefferson. Yet that faith had its limits. In the Kentucky Resolutions, Jefferson wrote:

[I]t would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights: that confidence is everywhere the parent of despotism-free government is founded in jealousy, and not in confidence; it is jealousy and not confidence which prescribes limited constitutions, to bind down those whom we are obliged to trust with power: that our Constitution has accordingly fixed the limits to which, and no further, our confidence may go

Due process. Probable cause. Those are the constitutional limits within which we “bind down those whom we are obliged to trust with power” and preserve our individual rights. A law that sets those limits aside, or obfuscates them in vague statutory language and legalistic definitions, has the potential for eroding the foundation of freedom as surely as terrorists have the potential for breaching the ramparts of our security. An informed people and a vigilant and responsive Congress are the keys to guaranteeing that our rights to security and freedom are ensured. They are essential to protecting the foundation of liberty and preserving each individual’s God-given role as the architect of his or her own destiny. As John Stuart Mill warned:

A people may prefer a free government, but if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they can be deluded by the artifices used to cheat them out of it; if by momentary discouragement, or temporary panic, or a fit of enthusiasm for an individual, they can be induced to lay their liberties at the feet even of a great man, or trust him with powers which enable him to subvert their institutions; in all these cases they are more or less unfit for liberty.

TO HONOR MR. JIM BRODIE

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. GRIJALVA. Mr. Speaker, It is with great honor that I recognize Jim Brodie. Jim was a respected member of the community, providing tireless hours to the youth, community and Habitat for Humanity.

Jim was a lifelong union ironworker, working in industrial and commercial construction. Upon retirement, he continued his service to our community by assisting Habitat for Humanity of Tucson in the construction and later supervision of projects throughout the Old Pueblo.

The energy and expertise he provided for Habitat for Humanity, its volunteers and its clients was unprecedented. He was a gifted leader, working on multiple projects and at various stages of the products. Among his many talents was the ability to work with young and old alike. This is especially noted with his success in working on the High School Build Program, proving to be a mentor, role model, and friend to the students he supervised.

For the last 8 years of his life, Jim’s work with the Habitat High School Build programs inspired the youth, their parents, and their teachers. Although initially hesitant to work the students, his ability to motivate and provide guidance came to him second nature. He was a natural teacher, impacting multiple lives and instilling pride in the lives that he impacted.

Jim’s role in supervising the Habitat High School Build programs, which included five schools and the State Prison programs, was unique. Furthermore, it was a true gift to our community and youth. He worked closely with the high school teachers to develop important mentoring relationships with students. His dedication went well beyond the building projects and will influence students for years to come.

His legacy includes the 40 families that now live in Habitat homes built by students participating in the High School Build program. Jim was admired by all who met or heard of him. His life and work is an inspiration to us all.

THE FAIR MINIMUM WAGE ACT OF
2005

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. GEORGE MILLER of California. Mr. Speaker, today, together with 100 of my colleagues, we are introducing legislation to raise the Federal minimum wage from \$5.15 to \$7.25 over 2 years. Senator EDWARD KENNEDY is introducing identical legislation in the Senate. Two reports that are also being released today, one by the Center for Economic and Policy Research and one by the Children’s Defense Fund, make obvious the importance of raising the minimum wage for workers, children, and families.

American workers are long overdue for a raise. Real wages are actually declining for the first time in more than a decade, while

prices for healthcare, gasoline, and other necessities are rising, making it even more urgent that we raise the minimum wage now. The minimum wage has been stuck at \$5.15 per hour since 1997—\$5.15 per hour. These days, a gallon of milk can cost half that much in some parts of the country. Imagine working for the better part of an hour and only being able to afford a gallon of milk—how do you ever make ends meet? The answer is: you don't.

One of the reports issued today, from the Center for Economic and Policy Research, shows that most minimum wage workers make significant contributions to their total family income. Half of them are between the ages of 25 and 54. The report also shows the importance of increasing the minimum wage to prevent families from falling further into poverty. Too often minimum wage jobs are not transitional. As the report makes clear, many workers find themselves trapped in minimum wage jobs; more than one-third of 25- to 54-year-old workers in minimum wage jobs are still earning the minimum wage after three years. The report is entitled "Not Up, Not Out: Few Prime-Age Workers Move Out of Minimum Wage Jobs" and is available at http://www.cepr.net/publications/labor_markets_2005_05.pdf.

The other report, from the Children's Defense Fund, shows that importance of increasing the minimum wage for more than 10 million children. The report, entitled "Increasing the Minimum Wage: An Issue of Children's Well-Being," states: "The annual income of an individual working full-time, with two children, at the \$5.15 an hour minimum wage leaves them \$4,500 below the poverty level. An increase in the minimum wage to \$7.25 would benefit many of the 9.7 million children who live in households where at least one worker earns between the current minimum wage and \$7.25 per hour. Furthermore, 1.2 million of these children live in households where two or more workers earned less than the proposed minimum wage." At \$5.15 per hour, a worker who works 40 hours a week for 52 weeks a year earns \$10,712. In 2003, the poverty level for a family of two (a parent and a child) was \$12,682. The Children's Defense Fund report is available at <http://www.childrensdefense.org/familyincome/obs/minimumwagereport2005.pdf>.

Every American deserves a decent wage for the work they do, and most Americans agree that we should raise the minimum wage. Congress disrespects workers and violates the will of the people when it refuses to increase the minimum wage. We ought to respect workers by guaranteeing them a fair wage. Work should be the path out of poverty, but millions of Americans work fulltime and still live in poverty.

The Miller-Kennedy legislation also extends the minimum wage to the Commonwealth of the Northern Mariana Islands, a U.S. territory in the Pacific Ocean. For years, the Congress has allowed basic labor standards to be denied to workers in the Marianas. We cannot continue to allow workers to be trapped in virtual involuntary servitude under sweatshop working conditions, indebted by usurious recruitment fees, paid inadequate wages and too often cheated out of what little they are owed. I have introduced legislation, H.R. 2298, to protect workers from recruitment abuses and to hold recruiters and employers respon-

sible for the working conditions they have promised. This bill goes a step further to ensure a decent minimum wage.

Among the 7.5 million workers earning between \$5.15 and \$8 an hour—the people this bill is intended to help—84 percent of them are adults over the age of 20. Nearly half of them are married or have children. Over half of them are women; 59 percent are white; 13 percent are black; and 23 percent are Hispanic. Sixty percent of them work full-time.

The inflation-adjusted value of the minimum wage has declined 20 percent since 1997. The legislation we are introducing today, the Fair Minimum Wage Act of 2005, increases the minimum wage from \$5.15 to \$5.85 within 60 days; then to \$6.55 1 year after the first increase; and finally to \$7.25 1 year after that.

I urge my colleagues to support this vital legislation.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

SPEECH OF

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2360) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes:

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in support of H.R. 2360, the Homeland Security Appropriations Act for Fiscal Year 2006. As a member of the Homeland Security Subcommittee, it has been an honor to work with Chairman HAL ROGERS and our Ranking Member, MARTIN SABO, in drafting this bill. I would like to commend them both, for their efforts to address our Nation's security needs despite the severe budget constraints forced upon them.

Mr. Chairman, this bill provides \$30.85 billion for operations and activities of the Department of Homeland Security, DHS, in fiscal year 2006, an increase of \$1.37 billion above the fiscal year 2005 enacted levels. Although the bill does not fully fund many initiatives critical to securing the homeland, I am pleased that this legislation does provide adequate funding for several programs of importance to urban communities such as my own in Los Angeles.

For instance, State and local emergency managers will be happy to learn that although the President continues to zero out the funding in his budget request for the Emergency Management Performance Grants, the committee has appropriated \$180 million for this grant program. Congress has rightly called this program "the backbone of the Nation's emergency management system." In California, emergency managers use these grants to develop plans to help prepare our residents for disasters such as earthquakes, fires, floods, or terrorist attacks.

The bill also provides \$750 million for Statewide formula grants which are distributed on a per capita basis to first responders. The current population-based formula is under review by the Homeland Security Authorization Com-

mittee which is determining whether or not funds should go to States based solely on population. In lieu of any changes by the authorizing committee to the formula, this bill directs DHS to maintain a minimum allocation of .75 percent per State and to allocate the rest based on threats and need versus population. I strongly agree that targeting funds based on the assessment of actual vulnerability is a much more effective use of limited resources than population alone. Furthermore, the committee recognizes that DHS must still establish a national preparedness goal which will help our States develop appropriate homeland security funding goals.

Our firefighters were among the first to respond to the tragic events of September 11th, and they will likely be the first to respond in the event of a future attack. The fire grant program helps local fire departments deal with these and other needs by allocating funds for equipment and staff. Unfortunately, the President proposed cutting funding for these programs by \$215 million, or 30 percent. This bill restores most of the president's cuts by providing \$600 million for fire grants and \$50 million for firefighter staffing grants. This is critical funding because only 13 percent of fire departments are prepared to respond to a hazardous material incident and an estimated 57,000 firefighter's lack personal protective clothing for a chemical or biological attack. I would hope that by the time this bill goes to the President, these programs will be fully funded at last year's level of \$715 million at a minimum.

In addition, the bill strengthens the committee's direction that port security grants, for the 55 ports of national significance, should be based on vulnerability assessments. This means that limited resources for port grants will be used where they are needed most. While we are dedicating \$150 million to both the port and the transit security programs, the Administration had proposed no funding for these critical programs. This is inexcusable particularly when the Coast Guard and the transit industry have indicated \$7 billion and \$6 billion in security needs in their respective industries to improve security. I am also pleased that Congress dedicated \$50 million for the security of chemical plants.

I thank Chairman ROGERS and Ranking Member SABO for including in the Homeland Security report several items I requested to address serious issues raised during subcommittee hearings with representatives of the Department of Homeland Security.

For example, the report expresses deep concern about reports that children, even as young as nursing infants, apprehended by Immigration and Customs Enforcement (ICE) are being separated from their parents and placed in shelters operated by the Department of Health and Human Services while parents are held in separate jail-like facilities. The Committee's report language directs DHS to release families or use alternatives to detention whenever possible, and when detention of family units is necessary, the Committee directs DHS to use appropriate detention space to house them together.

The report also addresses the need to expand the use of Legal Orientation Programs to additional ICE detention centers in the country. Legal Orientation Programs consist of legal presentations made by nongovernmental

agencies to all persons in immigration detention prior to their first hearing before an immigration judge. This program saves on the costs of immigration detention, makes Immigration Court more efficient, and facilitates access to justice for detained immigrants in removal proceedings. Immigrants are better prepared to accept their removal earlier in the immigration hearing process when they have learned from organizations not affiliated with the government that they have exhausted their immigration relief options.

I am also pleased that the report contains language I requested to improve the quality assurance standards at our ports of entry. The Committee urges Customs and Border Protection to consider expanding the use of videotape systems to record interactions between potential asylum seekers and border patrol agents at our ports of entry. These tapes should be reviewed and retained for a sufficient period of time to ensure that asylum seekers are treated equally and with fairness at any one of our ports of entry.

The bill once again includes language I drafted to prevent the Department of Homeland Security from moving forward with the unnecessary and potentially dangerous privatization of key immigration officers at the Bureau of Citizenship and Immigration Services. These officers are responsible for handling classified information used to prevent fraud and the exploitation of our immigration laws. I am thankful that this inherently governmental work will continue to remain the responsibility of trained and experienced federal employees directly accountable to the Department and not to the bottom line of a private company.

The report also includes language which I requested to address concerns about Customs and Border Protection employees who were required to participate in a six-day twelve week basic training, but who were not fully compensated for all of their days of work. The report directs the Commissioner of Customs and Border Protection to report on the number of employees who were not compensated and also on the steps the department is taking to resolve the problem.

Finally, the report directs the Transportation Security Administration to report on the status of their efforts to issue regulations for basic security training for flight attendants. I am pleased we are keeping TSA accountable to this task, and I look forward to the timely completion of this report.

However, Mr. Chairman, despite the fact that this Homeland Security Appropriations bill addresses several of the issues I raised in hearings and increases funding levels in certain accounts, I am concerned that this year's bill continues the practice of underfunding several homeland security recommendations as well as the initiatives and programs mandated by Congress to ensure our Nation's security.

As one of the largest cities and metropolitan areas in the country, Los Angeles is considered to be one of the most "at risk" areas for terrorist attacks. For this reason, I am disappointed that this bill provides only a slight increase of \$15 million over last year's funding for Urban Area Security Initiative grants compared to the \$405 million increase requested in the President's budget. Protecting our most vulnerable cities and towns is extremely costly and causes tremendous hardship on local governments. We must ensure that they receive the adequate funding to keep our most vulnerable cities secure.

I am further disappointed that the bill appropriates \$5 million for a program which allows States and local jurisdictions to enter into a Memo of Understanding, MOU, with Homeland Security to train local police to enforce limited immigration functions. I believe our limited resources should instead be directed toward identifying and deporting terrorist elements in our country.

In addition, although both the Patriot Act of 2001 and the Intelligence Reform Act of 2004 called for increases in specific areas such as border agents, customs and immigration inspectors, immigration investigators, as well as for additional detention beds, this bill fails to meet the established border enforcement benchmarks—by 500 border patrol agents (25 percent short), 600 immigration investigators (75 percent short), and 4,000 detention beds (50 percent short).

I am also concerned with the decrease in funding that the Bureau of Citizenship and Immigration Services has continued to receive since the creation of the Department of Homeland Security. This bureau is charged with processing thousands of work authorization and citizenship applications for immigrants in our country and yet this bill includes only \$120 million for this important agency. This decrease in resources simply does not make sense given that over the last 4 years, the Bureau of Citizenship and Immigration Services continuously fails to meet its 6 month goal for processing citizenship applications. These backlogs send the wrong message to our Nation's immigrants who are eager to become full participants in our society, but must wait years before their citizenship applications can be reviewed and processed. Mr. Chairman, I hope that before we send this bill to the President we will appropriate the funds necessary to once and for all resolve the backlog problems which have plagued this agency for years.

I am disappointed that this bill's report expresses support for expedited removal and recommends its expansion. Expedited removal means that Customs and Border Protection officers can immediately deport individuals they do not believe have a true case for asylum. This year, a federally funded study issued by the U.S. Commission on International Religious Freedom on the impact of expedited removal on asylum seekers found that expedited removal procedures are not being applied evenly across the country. The report found that where an asylum seeker enters our country, the country they come from, and which officer conducts their brief interview, impacts the decision on whether an individual is allowed to see an asylum officer or is deported without further review. Before expedited removal is expanded, as the bill's report recommends, Congress should require the Department of Homeland Security to provide evidence that Customs and Border Protection is making progress in resolving the current and serious problems associated with expedited removal.

Lastly, I am concerned by the Administration's seeming indifference toward protecting critical infrastructure, such as ports, transit and railroad facilities, and chemical plants. Not only have critical assessments not been completed, but the Administration has consistently underfunded or unfunded important infrastructure security programs.

For example, although Congress continues to fund aviation security and provides \$30 mil-

lion for air cargo screening, the Administration has continued to leave the aviation system's vulnerabilities exposed. Despite Congress' direction to increase the percentage of screened air cargo on passenger aircraft, the Transportation Security Administration has not fully implemented the law.

Additionally, the Administration has proposed no new funding to install inline baggage screening machines beyond the currently approved eight airports, and Congress has again decided to only fund the existing programs at 75 percent, rather than the contractually agreed to amount of 90 percent. This creates an additional burden that our cash-strapped communities can ill-afford.

In closing, Mr. Chairman, I will support this bill to provide critical resources to help make our country safer. However, fully addressing these and other critical national security concerns requires resources that the Administration simply did not propose and which the Republican majority did not provide in this bill. While this bill is an improvement over the Administration's request, critical homeland security needs will still go unmet.

U.N. PEACEKEEPING REFORM:
SEEKING GREATER ACCOUNT-
ABILITY, INTEGRITY AND EF-
FECTIVENESS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2005

Mr. SMITH of New Jersey. Mr. Speaker, earlier today I chaired the third in a series of hearings of my Subcommittee on Africa, Global Human Rights, and International Operations, on the topic of reform at the United Nations, and the second hearing we are holding on peacekeeping reform.

On March 1st, just 12 weeks ago, my committee met to examine credible evidence of gross sexual misconduct and exploitation of refugees and vulnerable people by U.N. peacekeepers and civilian personnel assigned to the U.N. peacekeeping mission in the Democratic Republic of Congo. Human rights groups and the U.N.'s own internal investigations had uncovered over 150 allegations against Mission personnel, typically involving peacekeepers' sexual contact with Congolese women and girls, some as young as 11-14, in exchange for food or small sums of money. Further, the U.N. had struggled to deal with similar sexual exploitation and abuse allegations in recent years in Sierra Leone, Liberia, and Guinea, as well as on the European continent in Kosovo and Bosnia. Yet despite many well-meaning gestures, there had not been one successful prosecution of U.N. civilian or military personnel, either in the Congo or elsewhere.

At that hearing, the United Nations made available Assistant Secretary General for Peacekeeping Operations, Dr. Jane Holl Lute to brief the Subcommittee on steps the U.N. Secretariat and Department of Peacekeeping Operations were taking to address the problem. As Members of this Subcommittee may recall, Dr. Lute declared, "... The Blue Helmet has become black and blue through self-inflicted wounds of some of our number and we will not sit still until the luster of that Blue

Helmet is restored. . . . It is unacceptable. It is simply unacceptable. The United Nations peacekeepers owe a duty of care to the people we serve. We owe this duty of care to the member states who place their trust in us when they send us to a mission. We owe this duty of care to the aspirations and hopes for the future that everyone has when they invest a peacekeeping mission in places like the Congo. It will be stamped out."

Since that time, I am pleased to report that I am seeing signs of real change in the way the United Nations goes about peacekeeping, certainly in the area of preventing human rights abuses. Investigations into allegations of sexual exploitation and abuse involving 96 peacekeeping personnel have been completed, with 66 military personnel repatriated on disciplinary grounds. On the civilian side, 3 U.N. staff have been dismissed; 6 others are undergoing disciplinary process; and 3 have been cleared. Missions have put into place a broad range of measures to prevent misconduct, from establishing focal points and telephone hotlines to requiring troops to wear uniforms at all times.

Moreover, the Fourth Committee of the U.N. General Assembly on April 18th unanimously endorsed the reform proposals of the Special Committee on Peacekeeping Operations, which include: training on standards of conduct; development of established units for peacekeeping rather than those assembled on an ad hoc basis; commitments by all troop contributing countries to pursue investigations and prosecutions of peacekeeping personnel for credible instances of sexual allegation and abuse; creation of a database to track allegations and ensure that prior offenders are not rehired; organization, management and command responsibility to create and maintain an environment that prevents against sexual exploitation and abuse; establishment of a professional and independent investigative capacity assistance to victims; and development of a model MOU for troop contributing countries to encompass these recommendations.

The General Assembly must now act on these recommendations, providing the necessary financial and political support to fully

and promptly implement them. It was my desire that the hearing stimulate the same sense of commitment and urgency at the U.N. to undertake broader reforms in peacekeeping.

Peacekeeping has changed significantly since the creation of the United Nations and the first peacekeeping missions, which were largely limited to "traditional" nonmilitary functions, such as monitoring of cessation of hostilities agreements, deployment of observer missions, and the maintenance and patrol of borders. With the end of the Cold War, the number of peacekeeping missions ballooned, as the Security Council deployed 20 new missions between 1988 and 1994. Tasks of peacekeepers have also evolved and now include more complex assignments such as nation-building, protection of vulnerable populations, and establishment and maintenance of security in post-conflict environments.

Our collective memories are still painfully sharp in recalling the peacekeeping fiascos of Bosnia, Rwanda and Somalia. Thankfully we have some notable successes to balance the picture out, in which stability was restored and substantial contributions made towards economic and political development, in U.N. missions in Kosovo, Sierre Leone and East Timor. What these examples illustrate is the importance of getting the mandate "right," matching the mission to the mandate, ensuring adequate staffing and funding, and providing for a transition to a sustained peace.

U.S. officials have endorsed Secretary General Annan's proposal for a Peacebuilding Commission and Support Office to undertake post-conflict transition and coordinate donor assistance and activities. But has a global audit of existing peacekeeping missions ever been conducted to review mandates and right-size missions? Has there been an examination of whether peacekeeping tasks could be outsourced to professional private security companies to perform tasks more cost-effectively or deploy into difficult situations where Member States have demonstrated a reluctance or inability to go? What are we doing to widen the donor support base for peacekeeping missions? And finally, what should the United States do if necessary reforms are not

being implemented, either by the U.N. or by troop contributing nations?

In this regard, I have introduced legislation, The Trafficking Victims Protection Reauthorization Act of 2005, H.R. 972, which contains several provisions specifically targeted at preventing trafficking in persons, sexual exploitation, and abuse by military personnel and in peacekeeping operations. H.R. 972 would require the State Department to certify to Congress, before it contributes U.S. logistical or personnel support to a peacekeeping mission, that the international organization has taken appropriate measures to prevent the organization's employees, contractors, and peacekeeping forces from engaging in trafficking in persons or committing acts of illegal sexual exploitation. The provision builds on two prior laws I have authored to combat trafficking in persons and reduce sexual exploitation, the Trafficking Victims Protection Act of 2000 and the Trafficking Victims Protection Reauthorization Act of 2003.

Other measures in this bill to combat sexual exploitation and trafficking in persons by military and peacekeepers are: Amending the U.S. Uniform Code of Military Justice to prohibit the use or facilitation of persons trafficked for sex or labor; Establishing a Director of Anti-Trafficking Policies in the Office of the Secretary of Defense; Reporting of steps taken by the U.N., OSCE, NATO and other international organizations to eliminate involvement of its personnel in trafficking; Requiring certification that safeguards are in place to prevent military and civilian personnel from trafficking or committing acts of sexual exploitation before a U.S. contribution to a peacekeeping mission is made.

In conclusion, the progress since our last hearing is encouraging, but we are only at the beginning of the necessary reform process. What comes out at the other end I hope will be a United Nations equipped for the unique challenges of this new century, with peacekeeping leading the way for reforms in other vital areas.